

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

<b>Date of Meeting</b>	27 <sup>th</sup> August 2020
<b>Application Number</b>	19/11239/FUL & 19/11801/LBC
<b>Site Address</b>	Dairy House Farm, Romsey Road, Whiteparish, Salisbury, SP5 2SF
<b>Proposal</b>	Proposed new swimming pool and outbuilding, new orangery and single storey link to existing lean-to accommodation, installation of new gates, retrospective addition of lean-to, summerhouse and decking
<b>Applicant</b>	Mr Shaun Wylie
<b>Town/Parish Council</b>	WHITEPARISH
<b>Electoral Division</b>	Whiteparish – Councillor Britton
<b>Grid Ref</b>	425658 123504
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Christos Chrysanthou

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

The applications have been called in by Councillor Britton citing concerns regarding the scale of development, the visual impact upon the surrounding area, overdevelopment; inaccurate application details, and drainage from septic tank.

**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.

**2. Planning History**

18/02035/LBC Retrospective application for new flue to woodburning store in extension, new paint finish to brick and stone plinths to base of oak post to outbuilding/garage and variations to window sizes, additional windows and positions of doors to lean-to annexe AC

16/08386/FUL & 16/08873/LBC Modification and extension of an existing single storey side extension, removal of existing flat roof & new pitched roof in plain tiles to match existing. AC

S/2013/0367 Erection of 2 storey outbuilding for storing garden machinery and structure to house oil tank

S/2012/1029 & S/2012/1030 Single storey side extension (east elevation), replace patio doors with french door, new stable doors to west elevation, enlarge existing terrace and erect close boarded fence

S/2012/1645 & S/2012/1646 Demolition of existing timber framed lean-to store at side of existing barn and construction of replacement lean-to structure and extension to form annexe

### **3. The Proposal**

Planning permission and listed building consent are sought for - Proposed new swimming pool and outbuilding, new orangery and single storey link to existing lean-to accommodation, installation of new gates, retrospective addition of lean-to, summerhouse and decking.

### **4. Local Planning Policy**

#### National Planning Policy Framework

2. Achieving Sustainable Development

4. Decision-making

12. Achieving well-designed places

16. Conserving and enhancing the historic environment

#### Wiltshire Core Strategy

Core Policy 1 Settlement Strategy

Core Policy 2 Delivery Strategy

Core Policy 57 Ensuring high quality design and place shaping

Core Policy 58 Ensuring the Conservation of the Historic Environment

Saved Policy C24 Extensions to buildings

Saved policy H31 Extensions to dwellings in the countryside

### **5. Summary of consultation responses**

Parish Council

Objection

- *It is not clear to the Parish Council which structures on the submitted plans already have planning consent.*
- *Insertion of heat pump – detriment to the amenity to neighbours and it is sited on the border with the neighbours.*
- *Fire hazard due to the structures that are already there without planning permission*
- *Environmental issues. Drainage – swimming pool, approx. 100 cubic metre of treated water with chemicals and if they wish to pump that out it will go into the tributaries of the River Blackwater by this diverse system of ditches and pipes.*
- *The drainage field is misleading and gives the impressions that the grass area takes the discharge and this is not the case.*
- *A relatively small cottage which has now grown and grown however the drainage has not improved at all. We believe the current drainage and sewage system is currently illegal as it discharges into an open ditch.*

- *The lean-to is not a suitable structure to approve attached to a listed building*
- *Swimming pool is not mentioned in context of the Listed Building Consent but as it is within the curtilage of the listed building surely it should be?*
- *Further incorrect plans. The latest versions of drawings are still confusing – for example on the latest proposal plan there is a storage area (retrospective?) connected to the back barn which is shown on floor plan – but if you look at the roof plan it appears open. Is there now a roof proposed all the way across? Is it attached all the way across to the listed barn?*

WC Conservation

No objection

*The application has been the subject of various changes/amendments.*

*In respect of my comments above, a revised proposed gate drawing has been supplied (19.034:16 Rev A) which shows a 6-bar gate with single pedestrian gate. I have no objection to this proposed design which is of a sufficiently rural character to preserve the setting of the listed building.*

*The application (note on proposed site plan) has also been amended to include the 'already built' lean-to storage shed (with pent roof) to the rear of the barn/garage, and the summerhouse with decking (also already built). There is no assessment of how these buildings impact on the setting/significance of the listed building, as is required by paragraph 189 of the NPPF- the original Heritage and Planning Statement dated 14 November 2019 makes no mention of them and has not been revised. Notwithstanding the absence of an assessment, I do not consider they cause harm to the significance of the listed building. Like the pool and pool building, together with the already constructed office building, they are within the residential curtilage of the former farmhouse, the farm buildings and farmyard being located to the west of the building, as evidenced by an older photo, included in the planning statement.*

WC Highways

No objection

*The existing parking and turning arrangements will not be affected by the proposal. The proposed gates will be set back from the carriageway edge 8.5m, this is further than the existing gates. It is therefore considered that the proposals will not be detrimental to highway safety and I therefore wish to raise no highway objection.*

WC Public Protection

No objection – conditions

*The applicant has provided two documents, one for the Pool heat pump (18kw) which will operate at 44dB at 10m and another for the air source heat pump. In relation to the ASHP the agent has confirmed that they will be installing the Mitsubishi Ultra quiet Ecodan unit. There are two different sizes available 8.5kW and 11.2kW. Details on the sound levels are only provided for the 8.5kW unit, which are sufficient. So providing this size of the unit is installed we would recommend that a condition to the following effect is attached to any approval granted;*

*1. The Air Source Heat Pump to be installed must be in accordance with documentation submitted for the Mitsubishi Ultra quiet Ecodan unit (8.5kW) and maintained at all times thereafter.*

*I was not able to find much information online regarding the drainage scheme, aside from a note in a 'proposed site plan' drawing stating it would remain as existing. Let me know if I have missed something?*

*As a householder planning application where the existing drainage is remaining the same, it is not something we would provide detailed comments on at planning. Is this definitely being considered as a householder extension? The proposal however may impact on any discharge permits that are currently in place or make any current exemptions invalid. This would be picked up via the Environmental Permitting route. It is my suspicion that a new swimming pool is likely to have a significant impact on the existing drainage, such as increasing discharge rates or treatment requirements, and may therefore have permit implications. Any required permits should be in place before any new development comes into use, and a permit may not be granted even if planning permission has been granted.*

*I therefore ask that any planning permission includes the below informative.*

#### *EA Informative*

*Government guidance contained within the national Planning Practice Guidance (Water supply, wastewater and water quality – considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:*

- 1. Connection to the public sewer*
- 2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)*
- 3. Septic Tank*

*Foul drainage should be connected to the main sewer. Where this is not possible, under the Environmental Permitting Regulations 2016 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, addition to planning permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.*

*Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.*

*Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone.*

*A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply.*

*Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.*

*Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.*

*Further advice is available at:*

*Discharges to surface water and groundwater: environmental permits*

*Septic tanks and treatment plants: permits and general binding rules*

## **6. Publicity**

The application was advertised by newspaper advert, the posting of a site notice outside the site and by neighbour notification letters.

Several letters of objection were received from both the adjacent neighbours. The concerns raised include the following matters:

- *Overdevelopment/ scale of proposals*
- *Impact on amenity including noise*
- *Septic tank and drainage concerns.*
- *Retrospective additions should be determined separately*
- *Impact on the listed building*

## **7. Planning Considerations**

- Principle of development
- Scale, siting, design and impact on the setting/character of the listed building and landscape character of the area
- Impact on amenity and noise
- Highways
- Drainage

## **8. Assessment**

### Principle of development

The application site is a Grade II listed detached dwellinghouse situated within on the outskirts of Whiteparish. The site is accessed off Romsey Road and is situated in the open countryside.

Planning permission and listed building consent are sought for Proposed new swimming pool and outbuilding, new orangery and single storey link to existing lean-to accommodation, installation of new gates; retrospective addition of lean-to, summerhouse and decking.

The proposed development at the site is considered acceptable in principle, provided the development is appropriate in terms of its scale, siting and design to its context, and provided other interests including residential amenity are addressed.

#### Scale, siting, design and impact on the setting/character of the listed building and landscape character of the area

Core Policy 57 states a high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complimentary to the locality.

Core Policy 58 states Development should protect, conserve and where possible enhance the historic environment.

Saved policy C24 states that extensions and additions to buildings in the countryside will only be permitted if they are sympathetic in scale and character with the existing building and surroundings, and fall within the existing curtilage.

Saved policy H31 permits extensions to dwellings in the countryside provided that the extension is subservient in size to the existing dwelling and does not substantially alter the character of the dwelling; the design of the extension is in keeping with that of the existing dwelling and uses complementary materials; and the extension would not create, or be capable of creating, a separate dwelling.

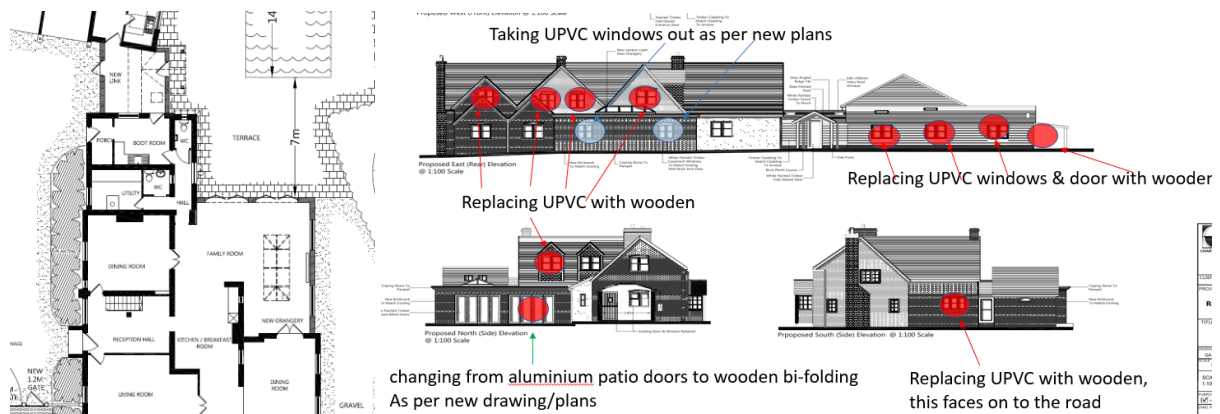
The proposal consists of various elements which are discussed in turn below.

#### New link and orangery, replacement windows

The existing ground floor exterior walls of the family room to the rear elevation would be removed and extended to form an orangery which would project to side by approx. 80cm, have a width of approx. 8m wide, a depth of 6.9m and would be set back 30cm from the rear elevation. The height of the orangery would be approx. 2.9m and consists of a flat roof with a lantern and brick on edge coping. The exterior walls would be constructed with brickwork to match the main dwelling. In addition, matching windows are proposed.

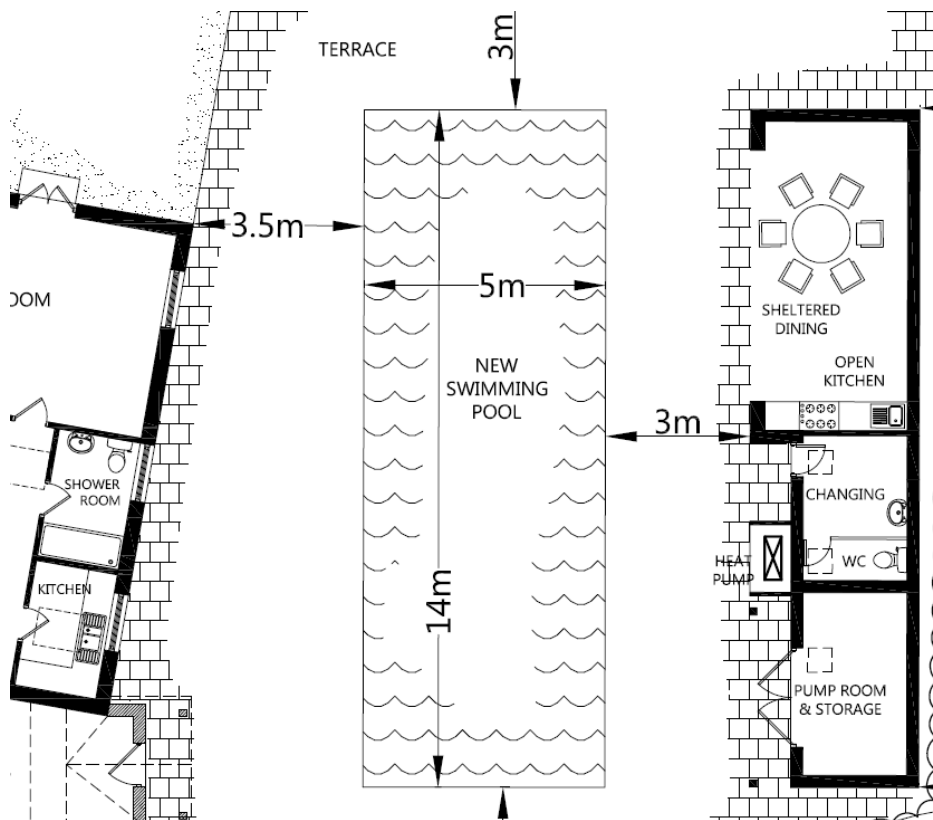
The proposed link connecting the main dwelling and the barn/garage would be set back approx. 80cm from the front elevation and would have a depth of 4m. The height of the link to the roof ridge would be approx. 2.8m. The exterior walls would be clad above a brick plinth and the roof would be tiled. The link is considered to maintain a subordinate appearance.

In addition there are various existing upvc windows and aluminium doors on the main dwelling that are proposed to be replaced with timber windows and doors. This would improve the appearance of the listed building. The extensions and alterations to the main dwelling are of limited scale and with suitable exterior materials are considered acceptable.



## Swimming pool

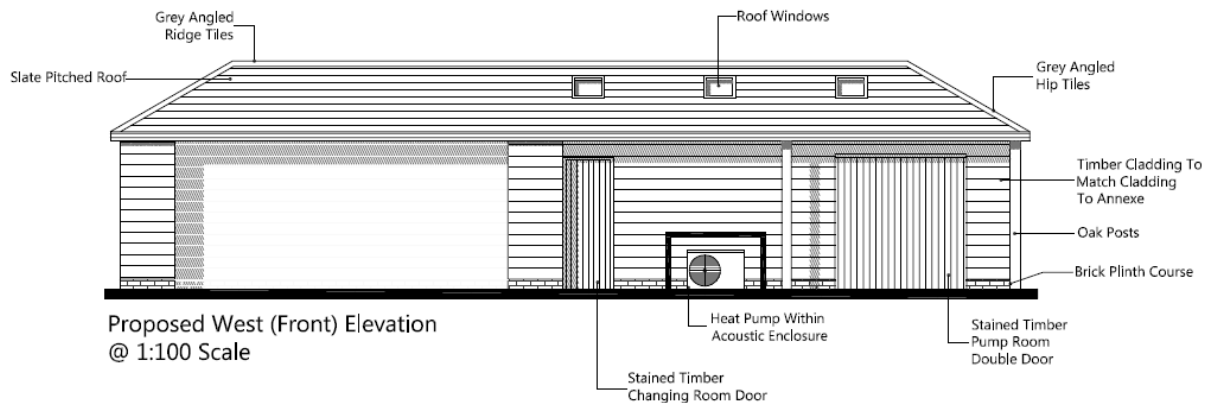
An outdoor swimming is proposed in the rear garden approx. 3.5m from the corner of the existing guest room extension to the barn/garage. The swimming pool is proposed to be 14m in length and 5m wide. The proposed swimming pool is within the curtilage of the dwelling and is considered acceptable.



## Outbuilding

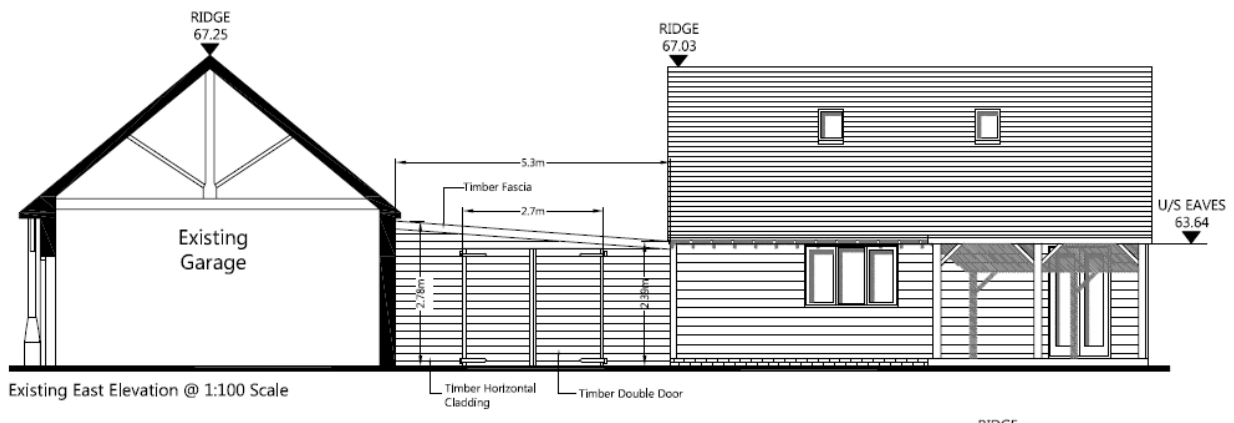
Sited directly parallel 3m to the east of the swimming pool, the proposed outbuilding has a width of approx. 14m and a depth of 3.5m. The height is approx. 2.5m to the eaves and approx. 3.5m to the roof ridge. The outbuilding would be set away 1.9m from the boundary. The revised plans have omitted a rear window. The floorarea consists of an open plan kitchen/dining area, a changing room and pump room/storage. The exterior materials consists of timber cladding on the walls above a brick plinth in addition to a slate roof with

grey angled ridge and hip tiles. The outbuilding is of limited scale and with appropriate materials is considered acceptable.



### Lean-to extension

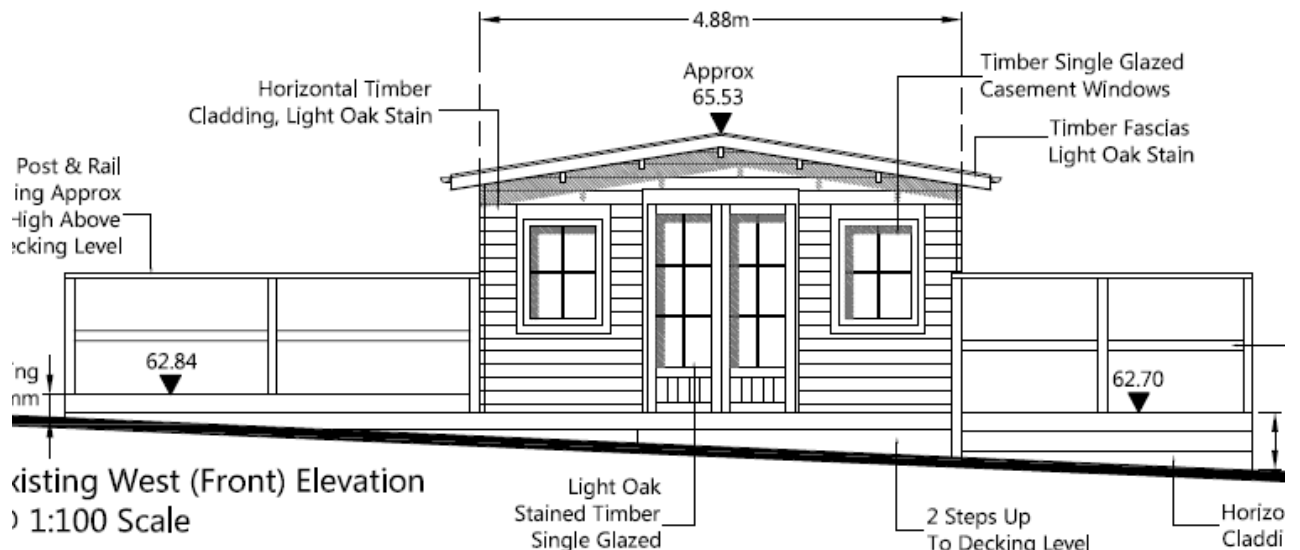
The proposal also consists of a timber frame lean-to storage area which is retrospective. The lean-to is sited to the rear of the existing barn/garage and provides a covered enclosure with timber clad walls, timber doors and a plastic corrugated roof covering. The rear wall of the enclosure is set away 8m from the boundary and the front wall is connected to the rear wall of the existing barn/garage and side wall of the adjacent store. The roof of the lean-to structure is set beneath the eaves of both the existing barn/garage and the adjacent store. The lean-to extension is considered acceptable.



### Summerhouse and decking area

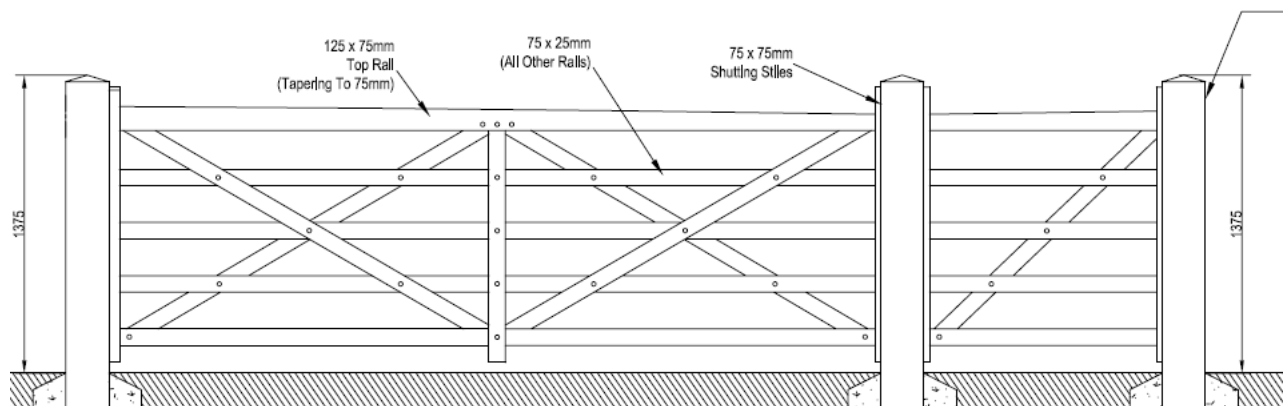
The proposal also consists of a decking area and summerhouse in the northeast section of the garden which are both retrospective. The decking area is set away approx. 1.3m from the boundary and occupies an area approx. 12m x 5m. Due to the sloping topography the decking is raised by approx. 60cm on one side and 20cm on the other. In roughly the centre of the decking area a timber summerhouse has been erected which is approx. 4.88m wide and 4m in depth. The height of the summerhouse is approx. 2.8m. The exterior walls are timber clad and the roof covered with felt shingles. The retrospective summerhouse and decking area are considered acceptable.





### Gates

A new 5 bar gate and pedestrian gate are proposed in a new position set back from the existing double gates which are to be removed. The posts are approx. 1.37m in height. The gates are proposed to be timber and of a traditional appearance suitable for the rural surroundings. The replacement gates as revised are considered acceptable.



### Impact on amenity and noise

Core Policy 57 requires that development should ensure the impact on the amenities of existing occupants is acceptable, and ensuring that appropriate levels of amenity are achievable within the development itself, and the NPPF (paragraph 127f) states that planning decisions should 'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.'

The neighbours comments regarding noise from entertaining are noted, however this is not a material planning consideration. Any noise nuisance is a public protection matter not a planning matter.

Details of the air source heat pump and the pool plant have been provided and are considered acceptable. WC Public Protection have been consulted and do not raise an objection subject to a condition regarding the air source heat pump.

With no building above single storey height, due to the limited scale of the development proposal, it is considered there would not be any impact on neighbour amenity to warrant refusal.

### Highways

Core policy 57 ix. states that proposals should ensure that the public realm, including new roads and other rights of way, are designed to create places of character which are legible, safe and accessible.

The new gates would be set further back than the existing gates and the existing parking and turning areas would be retained. WC Highways have been consulted and do not raise an objection.

### Drainage

The applicant has confirmed the existing septic tank and drainage provisions are to be remain as existing. WC Drainage have been consulted and have confirmed that foul water drainage is a matter for the Environment Agency, not the Council.

The Environment Agency have been consulted and ask that any planning permission includes an informative regarding drainage matters including connection to the public sewer, sewage treatment plant and septic tank arrangements.

Additional permits may be required from the Environment Agency and the applicant would be advised accordingly. In view of the comments received by WC Drainage and the Environment Agency it appears drainage related matters can be dealt with separately from the planning process and therefore a refusal on these grounds would be difficult to sustain.

## **9. Conclusion**

In response to comments made by officers, the parish council and the neighbours, several revisions of plans and additional information have been submitted by the applicant. Whilst there have been various revised plans and additional information submitted, this is part of the normal application process, and working positively with applicants to adjust schemes is encouraged by central government guidance.

The local planning authority has taken into consideration the parish councils comments and all third party comments on this application, and following receipt of the final set of plans, officers consider that the various matters raised during the course of this application have been satisfactorily addressed.

The comments regarding fire risk are noted however this matter would not represent a material planning concern. Fire risk is dealt with under building regulations.

The proposed and retrospective development are considered to be of a modest scale and as sufficient amenity area is retained within the residential curtilage, the proposal as a whole would not represent overdevelopment of the site.

The scale, siting and design of the development proposal are considered acceptable. In having special regard to the desirability of preserving the character of the Listed Building, the Conservation Officer has considered the development proposal as revised and does not raise an objection.

The development proposal which includes retrospective elements is considered to accord with the objectives of saved policies C24 and H31 and core policies 57 and 58 of the Wiltshire Core Strategy and the aims of the NPPF. Therefore, having regard to the material considerations and all matters raised, the Local Planning Authority considers that planning permission and listed building consent should be granted.

#### **10. RECOMMENDATION:**

Regards planning application ref: 19/11239/FUL:

APPROVE 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:

Drg. No. 19:034:01REVD Block / Location Plan (revised) Date rec. 05/02/2020  
Drg. No. 19:034:03REVG Proposed Site Plan (revised) Date rec. 18/05/2020  
Drg. No. 19:034:06REVE Proposed Floor Plans (revised) Date rec. 05/02/2020  
Drg. No. 19:034:07REVE Proposed Elevations (revised) Date rec. 05/02/2020  
Drg. No. 19:034:08REVD New Outbuilding (revised) Date rec. 18/05/2020  
Drg. No. 19:034:09REVA Proposed Windows Types A & B (revised) Date rec. 24/01/2020  
Drg. No. 19:034:10REVA Proposed Window Types C (revised) Date rec. 24/01/2020  
Drg. No. 19:034:11REVA Proposed Window Types D (revised) Date rec. 24/01/2020  
Drg. No. 19:034:15REVC Proposed Eaves, Parapet & Roof Window Details (revised) Date rec. 18/02/2020  
Drg. No. 19:034:16REVA Proposed Entrance Gates (revised) Date rec. 05/02/2020  
Drg. No. 19:034:18REVA Existing Summer House Date rec. 18/05/2020  
Drg. No. 19:034:19REVA Existing Storage Area & Lean-To Roof Date rec. 18/05/2020

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

- 3 The Air Source Heat Pump to be installed must be in accordance with documentation submitted for the Mitsubishi Ultra quiet Ecodan unit (8.5kW) and maintained at all times thereafter.

REASON: In the interests of amenity.

#### **INFORMATIVE TO APPLICANT:**

Government guidance contained within the National Planning Practice Guidance (Water supply, wastewater and water quality - considerations for planning

applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:

1. Connection to the public sewer
2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
3. Septic Tank

Foul drainage should be connected to the main sewer. Where this is not possible, under the Environmental Permitting Regulations 2016 any discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, in addition to planning permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.

Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.

Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone.

A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply.

Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.

Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.

Further advice is available at:

<https://www.gov.uk/guidance/discharges-to-surface-water-and-groundwater-environmental-permits#when-you-do-not-need-a-permit>

<https://www.gov.uk/permits-you-need-for-septic-tanks/you-have-a-septic-tank-or-small-sewage-treatment-plant>

**Regards Listed Building Consent ref: 19/11801/LBC**

**APPROVE 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:

Drg. No. 19:034:01REVD Block / Location Plan (revised) Date rec. 05/02/2020  
Drg. No. 19:034:03REVG Proposed Site Plan (revised) Date rec. 18/05/2020  
Drg. No. 19:034:06REVE Proposed Floor Plans (revised) Date rec. 05/02/2020  
Drg. No. 19:034:07REVE Proposed Elevations (revised) Date rec. 05/02/2020  
Drg. No. 19:034:08REVD New Outbuilding (revised) Date rec. 18/05/20 20  
Drg. No. 19:034:09REVA Proposed Windows Types A & B (revised) Date rec. 24/01/2020  
Drg. No. 19:034:10REVA Proposed Window Types C (revised) Date rec. 24/01/2020  
Drg. No. 19:034:11REVA Proposed Window Types D (revised) Date rec. 24/01/2020  
Drg. No. 19:034:15REVC Proposed Eaves, Parapet & Roof Window Details (revised) Date rec. 18/02/2020  
Drg. No. 19:034:16REVA Proposed Entrance Gates (revised) Date rec. 05/02/2020  
Drg. No. 19:034:18REVA Existing Summer House Date rec. 18/05/2020  
Drg. No. 19:034:19REVA Existing Storage Area & Lean-To Roof Date rec. 18/05/2020

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

3 No development shall commence on site until details of the Natural slate roof tiles and the grey angled tiles to be used on the outbuilding hereby approved have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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