

**REPORT TO THE DEVELOPMENT CONTROL  
COMMITTEE**

Report No.

<b>Date of Meeting</b>	<b>24<sup>th</sup> September 2008</b>
<b>Application Number</b>	<b>08/01569/FUL</b>
<b>Site Address</b>	<b>3 John Aubrey Close, Yatton Keynell</b>
<b>Proposal</b>	<b>Erection of chimney flue</b>
<b>Applicant</b>	<b>Mrs H. Brain</b>
<b>Town/Parish Council</b>	<b>Yatton Keynell</b>
<b>Grid Ref</b>	<b>386719 176837</b>
<b>Type of applications</b>	<b>Full Application</b>

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

This application was presented to Committee Members on 3<sup>rd</sup> September 2008 and was subsequently deferred for one cycle to negotiate a revised scheme.

**Summary of Report**

This application is for the erection of a chimney flue on the roof ridge of the dwelling. The site lies within a residential area of Yatton Keynell and within an Area of Outstanding Natural Beauty (AONB). The key points to consider when determining this application are as follows:

- Implications on DC Core Policy C3
- Impact of the development on the Area of Outstanding Natural Beauty (Policy NE4)

**Officer Recommendation**

Planning Permission be GRANTED subject to conditions.

<b>Contact Officer</b>	Celine Le Boedec-Hughes	01249 706 668	cleboedec-hughes@northwilts.gov.uk
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## Proposal and Site Description

This application is for the erection of a chimney flue on the roof of the property.

The development site is located within John Aubrey Close which is a residential development located within the village of Yatton Keynell. The area is characterised by a mixture of detached and semi-detached dwellings.

Planning History		
Application number	Proposal	Decision
84/00072/FUL	Extension	Permitted
82/00310/FUL	Extension	Permitted
78/00976/FUL	Extension	Permitted

## Consultations

**Parish Council** – Objected to the proposal for the following reasons:

- Inappropriate choice of materials
- Sited in a prominent location in the AONB and surrounding area
- Design and Access statement has not been submitted
- Parish would support a chimney
- Contrary to Policy C3 (i) and (iii), Policy NE4 (a), (b) and (c) and Policy H8 (i), (ii) and (iii)

**Environmental Health** – No adverse comments

## Representations

Four letters of representation were received from local residents in relation to the previously submitted proposal. The following concerns were raised:

- Development will be unsightly and out of keeping
- Development will be visible from various public viewpoints
- Development will change the appearance of the property and the area in general and will have an adverse impact on the AONB
- Development will set precedent
- Development will produce greenhouse gases which will have an adverse impact on the ecology
- The stainless steel material will be out of keeping
- Flue should be enclosed by an external chimney breast where materials match that of house
- A Design and Access statement has not been submitted
- Upkeep and maintenance will be difficult and unenforceable
- Development would be contrary to Policy C3, H8 and NE4 of the Local Plan

Local residents have been re-consulted and their comments on the revised plans are awaited.

## Planning Considerations

### Impact of the development on the character of the area and AONB

The proposal has been amended and rather than having a 20cm diameter wide stainless steel flue on the side elevation of the property, the applicant is now proposing to erect the flue inside the house and only having the top part of the flue exposed above the roof ridge. The plans show that the flue is to be 60cm higher than the roof ridge of the property for building regulations purposes.

When consulted on the previous scheme, local residents were opposed to the development as they

considered the flue would have an adverse impact on the character and appearance of the property, the area in general and the AONB. Committee Members took a similar view and requested that an alternative scheme be considered.

The proposal now submitted shows the flue to be sited within the property with only the top part of the flue extending beyond the roof ridge by approximately 60cm. The applicant has confirmed that the flue would be painted black.

It is considered that the development, as amended, would only have a very minor impact on the character and appearance of the area and in this residential part of the AONB. On this basis, it would be difficult to argue that the flue would have an adverse effect on the natural beauty of the surrounding landscape. Its height beyond the roof ridge is not considered to be excessive and will be no higher than existing TV aerials and surrounding chimney stacks.

In terms of the materials to be used, it is considered that providing the flue is painted a colour which is appropriate in this location, the development will have a very limited impact on the character of the area. It is proposed that a condition be attached to any permission granted requesting that a sample colour of the heat resistant paint to be applied to the flue be submitted to the Local Planning Authority prior to works commencing on site.

### **Recommendations and Proposed Conditions / Informatives**

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 Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out strictly in accordance with the approved plans subject to such minor amendments to the development as may be approved in writing under this condition by the Local Planning Authority.

Reason: To ensure that the development is implemented in accordance with this decision in the interests of public amenity, but also to allow for the approval of minor variations which do not materially affect the permission.

3. No work shall commence on site until a sample colour of the heat resistant paint to be applied to the flue has been submitted to, and approved in writing by, the Local Planning Authority. The development shall be painted with the heat resistant paint colour approved and within one month of the flue being erected and shall be permanently retained as such.

Reason: In order to ensure the satisfactory appearance of the completed development and to comply with Policy C3 and NE4 of the North Wiltshire Local Plan 2011.

### **Informatives:**

1. This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

### **Plan References**

Site location plan date stamped 30<sup>th</sup> June 2008.

Drawing showing proposed side and rear elevations date stamped 8<sup>th</sup> September 2008.

2. The following policies of the Development Plan are relevant to this decision:-

North Wiltshire Local Plan 2011:- Policy C3, H8 and NE4

**Reason for Decision**

The proposal, by virtue of its siting, scale and design, will not be harmful to the character and appearance of the area or Area of Outstanding Natural Beauty and will not be detrimental to the amenities of adjoining occupiers. On this basis, the proposal accords with Policies C3, H8 and NE4 of the North Wiltshire Local Plan (2011).

<b>Appendices:</b>	<b>None</b>
<b>Background Documents Used in the Preparation of this Report:</b>	<b>1.20, 3.03, 4.02, 4.04, 4.07</b>