

**REPORT TO THE DEVELOPMENT CONTROL COMMITTEE**      Report No.

<b>Date of Meeting</b>	<b>18<sup>th</sup> March 2009</b>
<b>Application Number</b>	<b>08/02809/FUL and 08/02810/LBC</b>
<b>Site Address</b>	<b>Latimer Manor, West Kington, Wiltshire SN14 7JQ</b>
<b>Proposal</b>	<b>Closure of Existing Access, Increase height of Existing Wall and Formation of a New Vehicular Access and Alterations to Boundary Wall, Including Repositioning Gate Pier, Alterations to Access and Increase Height of Wall</b>
<b>Applicant</b>	<b>Mr M Dolan</b>
<b>Town/Parish Council</b>	<b>Nettleton</b>
<b>Grid Ref</b>	<b>380742 177151</b>
<b>Type of application</b>	<b>Full application and Listed Building Consent</b>

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

This application has been submitted to the Committee for decision under the scheme of delegation in force after the 8<sup>th</sup> April 2002 because Councillors Jane Scott and Toby Sturgis have requested that the application be considered by committee to assess the effect on the historic environment and the AONB. The applications were deferred by members until the meeting on 18th March 2009, to enable the parish council to comment on the proposals.

**Summary of Report**

This listed building application proposes to raise a section of boundary wall and close up the existing vehicular access. The planning application also proposes to form a new vehicular access. The applications are partially retrospective, the works to the new access having been completed and sections of the boundary wall having been dismantled. Latimer Manor is a Grade II\* listed building, and the curtilage listed structures are also treated as Grade II\*. The site lies within West Kington Conservation Area, in the AONB. Therefore the key points to consider are as follows:

- Effect of the proposal on the Grade II\* curtilage listed building; and on the setting of the Grade II\* listed buildings
- Impact on the Conservation Area
- Impact on the AONB
- Impact on traffic and parking in the local area

**Officer Recommendation**

Planning Permission be REFUSED

Listed Building Consent be REFUSED

<b>Contact Officer</b>	Judy Enticknap		JEnticknap @northwilts.gov.uk
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## Proposal and Site Description

Latimer Manor (formerly Latimer Farmhouse) is a Grade II\* listed building which dates from the early C16, and is the principal listed building within a fine group of farm buildings. The buildings are orientated northeast-southwest and the south east corner of the farmhouse is approximately 3m from the roadside boundary wall;, which then curves north westwards in front of the house immediately adjacent to the vehicular entrance which serves the historic farmyard and house.. The other side of the vehicular entrance is defined by a stone gate pier, and the boundary wall continues westwards along the road as a stone field boundary. Approximately 250m to the west there was a farm gate set into the stone field boundary, with a farm track leading to the farmyard area.

The applicant has advised that he wishes to close the existing access because there is poor visibility, making it dangerous for vehicles and horses exiting the site. There are also concerns because of loss of privacy, with passers-by having direct views into the property; light pollution from car headlights illuminating the interior of the house; and risk of burglary.

The proposal is to raise the height of the wall immediately adjacent to the house, and continue it across the access in a slightly new position (which would remove the visibility splay) and close up the historic vehicular access with a stone face towards the farmyard, which would be faced on the roadside with a pair of gates set between gate piers. The house would then be served by the farm track. Work to this has been completed and comprises reorientating the track across the field in a sinuous curve with lime trees planted to form an avenue; the access opening (currently the width of the field gate) widened to 16m by removal of the stone boundary wall; and formation of a large hard-standing area immediately adjacent to the road.

A meeting between the agent and case officer was held at which amendments were requested a. to the existing access to include closing up the access with a pair of openable gates, and minor alterations to the wall; b. to the new vehicular access, to include reconstruction of the demolished stone wall and formation of a vehicular access as required by County Highways. Revised drawings of the new vehicular access have been submitted, but the applicant declined to amend the proposal to close up the historic access with associated alterations to the wall and pier.

Relevant Planning History		
Application number	Proposal	Decision
98/02753/LBC and	Conversion of farm buildings to form studios/workshops	Withdrawn because of highway objections
08/2291/S73a and 08/2292/LBC	Alterations to Boundary Wall, Including Closure of Access and Raising Height of Wall	Withdrawn

## Consultations

**Nettleton Parish Council** comments are awaited.

**Wiltshire County Council Highways** advise that the new access would only be acceptable if there is an overall improvement to highway safety. In this case all movements to and from the existing substandard access should cease before there is any increased movements from the new access. Provides further advice that:

- The main problem with the existing access is the poor visibility for vehicles turning right in rather than for emerging vehicles.
- The new access will be safer, and unless large vehicles regularly use it, a 3.5m wide gate set back 2.5m from the edge of the carriageway with 45 degree splays each side would be adequate

**English Heritage:** advises the application should be determined on the basis of national and local policy guidance and specialist conservation advice.

## **Representations**

52 letters of support have been received.

There will be improvement to highway safety, and alterations will enhance the property.

1 letter of objection has been received.

The artificial gate.....will degrade what was a fine entrance to a beautiful historic building. (The objector has indicated that he would be prepared to withdraw the objection if the application were amended in accordance with the officer recommendation.

## **Planning Considerations**

### Impact on Listed Building

There are no objections in principle to the proposal to raise the boundary wall adjacent to the house. However, historically there has always been a vehicular access serving this fine Grade II\* listed building and its associated farm yard, and its permanent closure will cause significant harm to the setting of the listed buildings. This harm will be exacerbated because of the poor design quality of the submitted scheme.

The agent has been advised that there would be no objection to improving privacy by providing a pair of gates set between the existing gate pier and a new pier to the east, with the raised wall being detailed to meet the new gate pier. However the submitted scheme has a poorly designed pair of curved false gates fixed back to the proposed new stone wall, and a poorly handled change in height to the new east section of wall. This proposal would severely compromise the special character and appearance of the listed boundary wall. Further design advice has been given to the agent, but the applicant declines to reconsider the scheme.

### Impact on Conservation Area/Area of Outstanding Natural Beauty

The whole site lies within the conservation area and also the Cotswold Area of Outstanding Natural Beauty. The alterations to the access and associated listed wall are clearly visible, and would cause significant harm to the character of the conservation area.

The enlargement of the agricultural opening and associated removal of stone wall would cause harm to both the conservation area and AONB. Policy NE4 of NWLP 2011 states that landscape character of the AONB should be preserved. It also states that development should be restricted to change of use of buildings, that which is appropriate to the economic and social wellbeing of the area or that which is desirable for the understanding and enjoyment of its amenities. It is not considered that this proposal falls within any of these categories.

The revised drawings for the new access, including reinstatement of the demolished sections of stone wall, will reduce the harm to the conservation area. Also, on balance, this amendment is considered to mitigate the harm caused to the AONB by the new access to serve the house. However, the planning application includes proposals for alterations to both accesses.

### Highways and Access

The alterations to the agricultural access would improve highway safety.

## Recommendation and Proposed Conditions

In respect of 8/02809/FUL

Planning Permission be REFUSED for the following reason:

1. The proposed development would cause harm to the character and appearance of the listed building and its setting, and to the character of the conservation area. It would therefore be contrary to policies HE1 HE2 and HE4 in the North Wiltshire Local Plan 2011

In respect of 08/02810/LBC

Listed Building Consent be REFUSED for the following reason:

1. The proposed development would cause harm to the character and appearance of the listed building. It would therefore not be in accordance with the Planning (Listed Building and Conservation Area) Act 1990 or guidance in PPG15.

<b>Appendices:</b>	<b>NONE.</b>
<b>Background Documents Used in the Preparation of this Report:</b>	<b>1.20, 2.02, 2.32, 4.02, 4.04, 4.07, 5.01, 6.03</b>