

<b>REPORT TO THE NORTHERN AREA PLANNING COMMITTEE</b>			Report No. 6 (4)
<b>Date of Meeting</b>	27 <sup>th</sup> May 2009		
<b>Application Number</b>	09.00274.FUL		
<b>Site Address</b>	Giles Green Farm, Brinkworth		
<b>Proposal</b>	Demolish outbuildings & replace with garages, workshop, swimming pool building & store, create underground link between house & pool.		
<b>Applicant</b>	Mr Dave Clements		
<b>Town/Parish Council</b>	Brinkworth		
<b>Electoral Division</b>	Brinkworth	<b>Unitary Member</b>	Mrs Soden
<b>Grid Ref</b>	400953 184837		
<b>Type of application</b>	Full application		
<b>Case Officer</b>	Caroline Ridgwell	01249 706639	caroline.ridgwell@wiltshire.gov.uk

#### **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 Vines and Sturgis have requested that the application be considered by committee to assess the impact on the countryside and neighbouring residential properties.

### **1. Purpose of Report**

**To consider the above application and to recommend that planning permission be GRANTED subject to conditions.**

### **2. Main Issues**

These applications propose to demolish the Dutch barn, large barn, car port, shed and outbuildings, except for the walls to the outbuilding adjacent to the entrance gate, and replace them with a series of workshops and garages, as well as a swimming pool with studio building. Also included in these applications is the creation of an underground link between the basement of the house with the swimming pool building.

The key points to consider are as follows:

- Impact on the Listed Building
- Affect of the residential amenity of neighbouring properties
- Design, scale and materials of the development
- Implications on DC Core Policy C3 and HE4

### **3. Site Description**

<b>4. Relevant Planning History</b>		
<b>Application number</b>	<b>Proposal</b>	<b>Decision</b>
08/02010	Replace existing ancillary buildings with new, including pool garages, workshops and art studio	Withdrawn

08/02009	Replace existing ancillary buildings with new, including pool garages, workshops and art studio	Withdrawn
06/00252	Certificate of Lawfulness for use of existing buildings-nine outbuildings for ancillary domestic use.	Permitted
09/00275/LBC	Demolish outbuildings & replace with garages, workshop, swimming pool building & store, create underground link between house & pool.	Pending consideration

## 5. Proposal

The proposal is to demolish the existing At-Cost barn, Dutch barn and two sides of the single storey barn adjacent to the farmyard. The At-Cost barn will be replaced by a timber and zinc building to house a swimming pool and art studio. The remaining buildings will be replaced with buildings made of a combination of brick, stone and timber and a slate roof. The existing brick and stone walls of the building adjacent to the yard will be built off and incorporated in the new structure.

Also included in this application is the creation of an underground link between the main house and pool building, the creation of a 'natural' pool and the erection of a wall and gates between the main house and pool building.

## 6. Consultations

### The Parish Council

(Brinkworth) – supported the application subject to conditions being applied for noise insulation and consideration of neighbour amenity

### Highways

Did not object to the application subject to conditions being attached:

### Drainage Officer

No comments

### Environmental Health

Did not object to the application subject to conditions being attached:

## 7. Publicity

The application was advertised by site notice, press advert and neighbour consultation.

1 letter of objection received in respect of amended plans

Summary of key relevant points raised:

- The impact on amenity from noise and pollution from machinery used on vehicles and vehicles themselves.
- The impact on amenity from light due to strong lights used in garages and pool building
- Overdevelopment of the site
- Lack of detail on water management for the natural pool

## 8. Planning Considerations

### Impact on the Listed Building

The existing buildings are modern and of no great architectural merit. The new buildings will be constructed of natural materials and the footprints kept within the area currently covered by the outer farmyard area. The buildings will not detract from the special interest of the listed building or its setting.

**Affect of the residential amenity of neighbouring properties**

The layout of the proposed buildings has been designed to minimise the number of openings facing the neighbouring property and minimise rooflights leading to light pollution. Conditions can be added to incorporate sound insulation, limit hours of use and external lighting, and to limit to non-commercial use.

Although fairly large scale the workshop buildings are for private use only and replace buildings already lawfully used for this purpose without restriction.

**Design, scale and materials of the development**

The scale of the buildings has been designed to be no greater than the existing outbuildings. The materials will be natural and will blend with the listed farmhouse.

**Implications on DC Core Policy C3 and HE4**

The scale, design and materials will enhance the area and will not be detrimental to the setting of the adjacent listed farmhouse. The proposals are therefore in accordance with policies C3 and HE4 of the North Wiltshire Local Plan 2011.

**9. Recommendation:**

Planning Permission be GRANTED for the following reason:

The proposed development will enhance the character and appearance of the yard at Giles Green Farmhouse by replacing the modern buildings with new outbuildings of a scale, design and materials that will make a more positive contribution to the amenity of the area. The proposals will be in accordance with policies C3 and HE4 of the North Wiltshire Local Plan 2011.

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. Notwithstanding the approved drawings the number of rooflights should be reduced to show one rooflight facing into the yard on the two storey garage building nearest the farmhouse, three rooflights facing into the yard on the central garage building and no rooflights on the garage building on the far side of the yard. The rooflights on the central building shall be permanently fixed shut.

REASON: In the interests of the amenity of the area.

Policy C3

3. No development shall commence 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.

Policy C3

4. No development shall commence on site until a sample panel of stonework, 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.

Policy C3

5. No development shall commence on site until details of the finish to external timber, including any paint or stain to be used on the external walls and window joinery 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 brought into use / occupied.

REASON: In the interests of visual amenity and the character and appearance of the area.

Policy C3

6. No development shall commence on site until details and samples of the materials to be used for the external walls and roofs 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 visual amenity and the character and appearance of the area.

Policy C3

7. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- (a) indications of all existing trees and hedgerows on the land;
- (b) details of any to be retained, together with measures for their protection in the course of development;
- (c) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- (d) finished levels and contours;
- (e) means of enclosure;
- (f) car park layouts;
- (g) other vehicle and pedestrian access and circulation areas;
- (h) hard surfacing materials;
- (i) minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- (j) proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
- (k) retained historic landscape features and proposed restoration, where relevant.

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

Policy C3

8. No development shall commence on site until details of all earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, and the nature of the material, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.

REASON: To ensure a satisfactory landscaped setting for the development.

Policy C3

9. Prior to the commencement of any development full details of the design and materials for all new and replacement external windows, gates and doors, including cills, reveals and setback details shown on elevations at a scale of no less than 1: 5 (1:10 doors & gates) and sections to at a scale of no less than 1:2 (1:5 doors & gates) shall be submitted to and approved in writing by the local planning authority.

REASON: In the interests of the amenity of the area.

Policy C3

10. Prior to the commencement of any development full details of the new roof, including sections, intersections with the south east elevation, eaves & verge details at 1:5.  
Items 1 and 2 shall be completed prior to the commencement of any works.

REASON: In the interests of the amenity of the area.

Policy C3

11. Notwithstanding the provision of the Town and Country Planning General Development Order 1988 (or any order revoking and re-enacting that Order) the use of the garage hereby permitted shall be limited to the domestic and private needs of the occupier and shall not be used for any business or other purpose whatsoever.

REASON: To safeguard the amenities and character of the area and in the interests of highway safety.

Policy C3

12. The accommodation to be provided within the development hereby approved shall remain as permanent ancillary accommodation to the principal dwelling Giles Green Farmhouse. There shall be no subdivision of this single residential planning unit.

REASON: In the interests of highway safety.

Policy C3

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (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 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 external alterations.

Policy C3

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (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.

Policy C3

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no buildings or structures, or wall, fence or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site on the approved plans.

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

#### Policy C3

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no television / radio aerial / satellite dish or other form of antenna [DELETE as appropriate] shall be installed / affixed on the exterior of any building forming part of the development hereby permitted without the prior written consent of the Local Planning Authority.

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

#### Policy C3

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), the buildings hereby permitted shall not be converted to habitable accommodation.

REASON: To safeguard the amenities and character of the area and in the interest of highway safety.

#### Policy C3

18. There shall be no use of powered tools or machinery within the garage buildings hereby permitted between the hours of 2200hrs and 0700 hrs.

REASON: In the interests of the amenity of nearby occupiers.

#### Policy NE18

19. No work for the repair, restoration or maintenance of vehicles or machinery shall take place outside the buildings without the prior approval of the Local Planning Authority.

REASON: In the interests of the amenity of nearby residents.

#### Policy NE18

20. A scheme of acoustic protection against breakout of noise from the workshop and plant room shall be submitted and approved by the local planning authority. The scheme shall take account of predicted or measured noise levels from plant and machinery likely to be in use; the sound insulation provided by the structure, allowing for any necessary ventilation arrangements; and the background levels in the area. The approved scheme shall be fully implemented prior to first occupation of the buildings hereby permitted.

REASON: In the interests of the amenity of nearby occupiers.

#### Policy NE18

21. A scheme of external lighting shall be submitted to demonstrate that there shall be no unreasonable light pollution, glare or light spillage affecting either any neighbours or the local area. The approved scheme shall be fully implemented prior to occupation of the buildings hereby permitted.

REASON: In the interests of the amenity of nearby occupiers.

Policy NE18

22. Full details of the new drainage system for the natural pool shall be submitted to and approved in writing by the local planning authority before any work is carried out. The development shall be carried out in accordance with the approved scheme before first use of the pool.

REASON: To ensure adequate drainage.

Policy NE18

23. The buildings hereby approved shall be used only for purposes incidental to the enjoyment of Giles Green Farmhouse as a dwelling and shall not be used for any commercial purpose.

REASON: In the interests of amenity and to prevent any inappropriate use.

Policy C3.

#### Informatives

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 Ref.

Drawing No 144A.P009 rev /  
Drawing No 144A.S001 rev A  
Drawing No 144A.S009 rev /  
Drawing No 144A.P001 rev B  
Drawing No 144A.P002 rev B  
Drawing No 144A.P003 rev B  
Drawing No 144A.P004 rev B  
Drawing No 144A.P005 rev B  
Drawing No 144A.P006 rev B  
Drawing No 144A.P007 rev B  
Drawing No 144A.P008 rev B

<b>Appendices:</b>	<b>None</b>
<b>Background Documents Used in the Preparation of this Report:</b>	<b>North Wiltshire Local Plan 2011</b> <b>PPG 15</b>