

REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Date of Meeting	28 October 2015
Application Number	15/08926/FUL
Site Address	The Paddocks, Grittleton, Chippenham, Wiltshire, SN14 6AL
Proposal	Erection of Replacement Dwelling.
Applicant	Mr & Mrs Alvis
Town/Parish Council	CASTLE COMBE
Electoral Division	BY BROOK – Cllr Baroness Scott
Grid Ref	384876 179914
Type of application	Full Planning
Case Officer	Alison Grogan

Reason for the application being considered by Committee

Called in by Cllr Baroness Scott for the Committee to consider the scale of the development and the relationship to adjoining properties.

1. Purpose of Report

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

2. Report Summary

The main issues are:

- Principle of development
- Scale of development
- Impact on the AONB
- Relationship to adjoining properties
- Compliance with saved policy H4

3. Site Description

The Paddocks is situated in open countryside, it lies to the North of The Gibb just beyond the M4 motorway.

There are limited views into the site from the road as there is a thick tree screen along this boundary. The site is accessed via an electric gate and there are a number of agricultural type buildings on the site. The structure to be replaced

was recently granted a CLE for the use as a dwelling and is situated between two existing barns.

The site is within an Area of Outstanding Natural Beauty.

4. Planning History

15/03639/CLE - Certificate of Lawfulness for Use of Premises as a Dwelling – Granted 30th June 2015.

00/00055/REM - Erection of Replacement Stable Block and Cover Structure For Horse Walker – Approved April 2000

99/01200/OUT - Demolition of Existing Stable Block and Erection of Replacement Stable Block and Structure To Provide For Horse Walker – Permission January 2000

96/02024/S73 - Formation of Access and Menage and Erection Of Barn and Stable (Retrospective) - Permission December 1996

94/01914/FUL - Change of Use of Land to Keep Horses Including Erection of Stables and Barn – Permission November 1994

5. The Proposal

The proposal is to replace the structure that was granted a Certificate of Lawfulness for use as a dwelling with a new dwelling.

The CLE application only included the actual building whereas this new application includes a small area of amenity land and the access within the red line.

6. Planning Policy

National Planning Policy Framework:

Section 7 – Requiring good design

Section 11 – Conserving and enhancing the natural environment

Wiltshire Core Strategy:

CP1: Settlement Strategy

CP2: Delivery Strategy

CP10: Chippenham Community Area

CP41: Sustainable Construction and Low Carbon Energy

CP51: Landscape

CP57: Ensuring High Quality Design and Place Shaping

North Wiltshire Local Plan (Saved Policy):

H4 – Residential development in the open countryside

7. Summary of consultation responses

Grittleton Parish Council - No objections in principle to the replacement dwelling - but does note that some of the proposed materials might be considered rather temporary

Castle Combe Parish Council – Object. Policy H4 would permit this application if the existing was unsuitable for purpose, this is not the case. The proposal is urban in character, is significantly larger than the existing building, and it is ugly and does not blend in with the surrounding ones.

Highways – As this is for a new dwelling to replace the existing, there is no highway objection.

Wiltshire Fire & Rescue Service – Comments relating to provisions under the Building Regulations.

Grittleton Parish Council - No objections in principle to the replacement dwelling - but does note that some of the proposed materials might be considered rather temporary.

8. Publicity

The application was advertised by site notice and neighbour consultation and no comments have been received.

9. Planning Considerations

Principle of Development

The proposal is for the erection of a replacement dwelling following the granting of a CLE for "Use of Premises as a Dwelling" (15/03639/CLE). The existing building to be replaced comprises of a mobile home attached to a log cabin, resulting in an L shaped structure which in parts is in a fairly poor state. The resulting building is quite substantial with a large kitchen/dining area, three bedrooms a bathroom and a living room.

The site is situated outside of the Framework Boundary and saved policy H4 of the Local Plan is therefore of relevance. Policy H4 allows for the replacement of existing dwellings providing the following criteria are met:

- 1) The residential use has not been abandoned; and
- 2) The existing dwelling is incapable of retention in its current state, is unsightly or is out of character with its surroundings; and
- 3) The replacement dwelling is of a similar size and scale to the existing dwelling within the same curtilage.

The residential use of the building has not been abandoned and given that it is a hybrid of a mobile home and a log cabin in a fairly poor state of repair, it is considered to be unattractive and unsightly.

The proposed replacement dwelling will also be single storey and comprises of three bedrooms with a kitchen/diner and a living room, which is similar to the

existing. However, the proposed dwelling does have a larger footprint and volume. The existing building has a footprint of 70.7m² and the proposal will measure approximately 134m². The existing building is 'L' shaped and the proposed dwelling in-fills all the space between the two barns. However, given the poor visual appearance of the existing building, the replacement does give the opportunity of improving the visual appearance of the site.

The proposed dwelling will cover the whole area between the two existing agricultural buildings and the red line also indicates an area of residential curtilage. The application for the CLE did not include the curtilage but it is accepted that part of the surrounding land had been used as such and the area proposed within the red line is not excessive. A condition removing the permitted development rights will ensure that the proposed dwelling is not extended further into the limited amenity space.

Overall it is considered that the scale of the building is acceptable and complies with saved policy H4.

Design and Impact on AONB

The proposed replacement dwelling will be a contemporary design constructed of rough cast render with unstained timber panels, grey powder coated aluminium framed windows under a domed seamed zinc sheeting roof.

A key consideration is the impact of the proposal on the AONB. Paragraph 115 of the National Planning Policy Framework 2012 states that "great weight" should be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty, which have the highest level of protection. In terms of the Wiltshire Core Strategy, Core Policy 51 indicates that proposals should protect, conserve and where possible enhance landscape character and must not have an unacceptable impact upon landscape character within the immediate area and over long distance views.

Whilst the existing building is fairly low key in terms of height it is a fairly substantial building and due to the type of construction it does not enhance the landscape character of the area. The site is adjacent to the M4 but is very rural in character. The proposed dwelling will be situated between two existing agricultural buildings, and as such the proposal will appear in keeping with the surroundings and provide the opportunity of improving the visual amenity of the area.

Whilst the proposed building will be higher than the existing, it is accepted that to improve the overall design the roof line would need to be raised and it has been broken up with lean-to type sections to the sides. The overall height will be lower than the adjacent buildings and on balance it is considered that the proposal provides the opportunity to enhance the built environment which will improve the wider landscape.

Whilst the proposed building will be higher than the building to be replaced, it is accepted that to improve the overall design a like for like replacement would not be appropriate. The overall height will be subservient to the adjacent buildings and the overall perceived massing of the building has been minimised with the introduction of lean-to sections to the sides. For the reasons given above it is considered that the proposal provides the opportunity to enhance the built

environment which will improve the wider landscape and thereby fulfil the aims and goals of both local and national planning policies.

Relationship to Adjoining Properties

The site is well screened from the road and there are no near neighbours. The nearest neighbours to the north are approximately 135 metres from the access point and approximately 95 metres from the proposed dwelling. The neighbour to the south is at a similar distance but the site is further screened by the M4 flyover which is close to the boundary of the site.

The proposed windows on the (front) west elevation face towards the tree screen along the boundary with the highway and on the (rear) east elevation they will overlook the paddock area. In light of the distance from other properties it is considered that the proposal will not have a detrimental impact on the amenity of any local residents.

10. Conclusion

Overall the proposal provides an opportunity to enhance this site and is considered to be acceptable in terms of scale and design and therefore complies with saved policy H4 of the North Wiltshire Local Plan 2011 and Cope Policy 57 of the Wiltshire Core Strategy and guidance with the NPPF. The proposal is also considered to be an improvement to the wider landscape and therefore in accordance with Core Policy 51 of the Wiltshire Core Strategy and the key aims of the NPPF.

RECOMMENDATION: Permission 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 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:**

Site Location Plan, LPC/3630/EX/1A, LPC/3630/EX/2, LPC/3630/SD1/1A, LPC/3630/SD1/2A and LPC/3630/SD1/3 registered by the LPA on the 10th September 2015.

- 3. No development shall commence on site until the exact 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: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is

undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

4. 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/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.

5. 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.

6. **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.
7. **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.
8. **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.