

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

<b>Date of Meeting</b>	<b>5<sup>th</sup> October 2016</b>
<b>Application Number</b>	<b>16/03033/FUL</b>
<b>Site Address</b>	<b>Land to the rear of Church, North Wraxall, Chippenham, SN14 7AD</b>
<b>Proposal</b>	<b>Erection of stable block</b>
<b>Applicant</b>	<b>Mrs Nicola Pile</b>
<b>Town/Parish Council</b>	<b>North Wraxall</b>
<b>Ward</b>	<b>BYBROOK Councillor - Baroness Jane Scott OBE</b>
<b>Grid Ref</b>	<b>381802 175064</b>
<b>Type of application</b>	<b>Full Planning</b>
<b>Case Officer</b>	<b>Charmian Burkey</b>

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

The application has been called into committee by the Councillor Baroness Scott OBE, in order to consider the impact of the proposal on car parking.

**1. Purpose of Report**

To consider the above application and to recommend that planning permission is GRANTED subject to the conditions listed in the report.

**2. Report Summary**

The Parish Council objects to the application, but the conservation officer has no objection to the revised plans. 3 members of the public raise objections.

**3. Main Issues**

The main issues are:

- Principle of development
- Impact upon the listed building and its setting.
- Impact on the character and appearance of the surrounding conservation area.
- Impact on highways

**4. Site Description**

This application relates to a field to the north of North Wraxall Church, which is a Grade 1 listed building. The site also lies within The Cotswolds AONB and North Wraxall Conservation Area. The village is a small village without a defined framework boundary but the site is closely relate to the built area of the settlement. The land is fairly flat with stone

wall boundaries on 3 sides. The boundary to the churchyard is a stone wall with a line of mature trees, which gives partial screening of the church views.

The village of North Wraxall lies to the south the site and the remaining surrounding area is open farmland.

## **5. Relevant Planning History**

No relevant planning history.

## **6. The Proposal**

The proposal seeks planning permission for a stable building to house 3 stables and an open field shelter. The building would be constructed from shiplap timber cladding with a black ridged onduline roof. The building would measure 14.4m by 4.5m (including a 900mm overhang) .The attached field shelter element would measure 3.6m by 6.1m. The overall height of the building is 3m.

The building position has been amended since the original submission so that the building no longer lies against the churchyard boundary, but is at the eastern side of the site at right angles to it and against an existing stone wall.

## **7. Planning Policy**

### Wiltshire Core Strategy January 2015:

CP51 Landscape

CP57 Ensuring High Quality Design and Place Shaping

CP58 Ensuring the Conservation of the Historic Environment

### National Planning Policy Framework (NPPF):

Achieving sustainable development – Core Planning Principles

Chapter 7 Requiring Good Design

Chapter 11 Conserving and enhancing the natural environment

Chapter 12 Conserving and enhancing the historic environment

Town and Country Planning (Listed Buildings and Conservation Area) act 1990

S66 Dealing with listed Building Heritage Assets

S72 Dealing with Conservation Areas.

## **8. Consultations**

North Wraxall Parish object on the lack of pasture and the effect on the Grade I listed Church.

The Parochial Parish Council object for the following reasons:

The proposed stable is sited in an inappropriate location which greatly impacts on the Grade 1 listed Church, the new Churchyard and the Conservation Area. The proposed stable building is of an inappropriate size as there is only 0.5 acres of pasture within the 2.30 acre site, meaning the available grazing would barely support 1 horse. The generally accepted sustainability principle is that you require one acre per horse. The site is located within the

Cotswold ANOB and such a new development should be restricted to that which safeguards and enhances the open countryside and this proposed development does neither. If, as the proposed development intends, there are to be 3 or 4 horses kept on the site then there is a high risk that the pasture will become badly damaged which would have a significant detrimental effect on the visual amenity of the Church, Churchyard and the north side of the village. The proposed development would inevitably create noise disturbance and smell, which would be inappropriate in this location immediately adjacent to the Church and Churchyard where there are services being held, frequent visitors to graves. The proposed site has no access to water or electricity.

**The Conservation Officer** states that the revised position of the building is considered to have less of an impact on the setting of the adjacent heritage asset. Care should be considered in terms of the possible formation of an access track to serve the building and any associated fencing to serve the proposed new use. Conditions should be employed to restrict such development with the field and thereby retain the open character of the site.

**Highways Officers** state that if the stables are to be used for the private use only of stabling horses and the associated storage of equipment and not for any commercial purposes or livery then there is likely to be no highway objection. However should there be a need to improve the access beyond a simple field gate, if there is to be increased vehicular movements then plans need to be amended to indicate this. Should there be need for the access to be improved then I would like to have a small statement included on the expected use of the access in order to make an assessment of the likely impact of vehicular movements on the public highway. However should the stables be used just for domestic use and there be no expected vehicular movements through the access then I would likely raise no highway objection and just ask for the following condition to be attached.

*The development hereby permitted shall only be used for the private stabling of horses and the storage of associated equipment and feed and shall at no time be used for any commercial purpose whatsoever, including for livery, or in connection with equestrian tuition or leisure rides.*

*REASON: In the interests of highway safety and/or to protect the living conditions of nearby residents*

## **Publicity**

The application was advertised by site notice and neighbour consultation. No comments were received.

3 local resident object on the grounds that:

- The plan labeling is ambiguous.
- The proposed stable building is sited in a location that greatly impacts on the Grade 1 listed church, the graveyard, the new cemetery and the Conservation Area. The noise, activity and consequences, such as smell, of equine activities could have a detrimental effect on the to-be-expected ambiance of the site of mourning and reflection, where there are services being held, internments taking place and frequent visitors to graves.

- The proposed stable building is of a size that is inconsistent with 0.5 acres of pasture within the 2.30-acre site. This amount of grazing would hardly support one horse. The generally accepted sustainability principle is that you require one acre per horse.
- The site is located with the Cotswolds AONB and as such new development should be restricted to that which safeguards and enhances the open countryside and this proposed development does neither.
- The site does not currently have any access to water or electricity.

## **9. Planning Considerations**

### Scale and Design

In accordance with Core Policy 57 development should respond positively to the existing site features which include building layout, built form, mass and scale. The site is currently open pasture with stone wall surrounds. The building has been re-positioned so that it is at right angles to boundary walls of the churchyard. The scale is modest for such a building and its positioning now means that it is considered to be well laid out in relation to other features.

### Impact to the listed building and its setting

Core Policy 58 aims to ensure that Wiltshire's important monuments, sites and landscapes and areas of historic and built heritage significance are protected and enhanced. This is to ensure they continue to make an important contribution to Wiltshire's environment and quality of life.

Paragraph 132 of the NPPF states that when considering the impact of the proposed development on the significance of a heritage asset, great weight should be given to its conservation. The more important the asset the greater the weight shall be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Under paragraphs 133 & 134 any harm to the significance of a heritage asset needs to be outweighed by the public benefits.

The conservation officer states that the revised setting is likely to have less of an impact on the setting of the adjacent heritage asset. He also states that care should be considered in terms of the possible formation of an access track to serve the building and any associated fencing to serve the proposed new use. Conditions should be employed to restrict such development with the field and thereby retain the open character of the site. On this basis no objection is raised

### Impact on the character and appearance of conservation area and AONB

Development within the conservation area should protect, conserve and where possible, enhance the historic environment. It is accepted that the site lies in the rural part of the conservation area which is open fields. The openness of this area would not be lost by permitting this stable building, nor would the rural character of the area be detracted from as the nature and form of the development is generally characteristic and typical of the rural locality and this general type of location.

This part of the Cotswolds AONB is open fields with stone walls in between. The stables, are, however, placed close to a boundary wall and do not interrupt the openness of the landscape. There is no significant impact on the the Cotswold's AONB's landscape character.

### Impact on highway safety and parking

The property is accessed from the road via an existing gateway, which is to be retained. No car parking is proposed and conditions will be applied to limit any overnight parking of vehicles. The applicant is to submit a plan showing a grasscrete off road parking area, but no overnight storage will be allowed. Highways officer consultation advice will be reported as a late item.

## 10. Conclusion

The proposal is considered to be compliant with policies CP51, CP57 and CP58 of the Wiltshire Core Strategy, guidance in the NPPF particularly paras 132 and 134 and S66 and S72 of the Town and Country (Listed Buildings and Conservation Areas) Act 1990.

## 11. Recommendation

The recommendation is for permission 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 No fences or jumps shall be erected on the site without the prior approval in writing of the Local Planning Authority.

REASON: In order to protect the living conditions of nearby residents and/or the rural character of the area.

- 3 The development hereby permitted shall not be brought into use/ until details of the storage of manure and soiled bedding (including the location of such storage) and its disposal from site (including frequency) have been submitted to and approved in writing by the Local Planning Authority, and; the works for such storage and disposal have been completed in accordance with the approved details. The approved storage area shall subsequently be maintained in accordance with the approved details. No storage of manure and soiled bedding shall take place outside of the storage area approved under this condition.

REASON: In the interests of public health and safety, in order to protect the natural environment and prevent pollution.

- 4 The development hereby permitted shall only be used for the private stabling of horses and the storage of associated equipment and feed and shall at no time be used for any commercial purpose whatsoever, including for livery, or in connection with equestrian tuition or leisure rides.

REASON: In the interests of highway safety and/or to protect the living conditions of nearby residents.

- 5 There shall be no parking of horse boxes, caravans, trailers or other vehicles during the hours between dusk and dawn on the site.

REASON: In order to protect the living conditions of nearby residents and/or the rural

character of the area.

- 6 No portable buildings, van bodies, trailers, vehicles or other structures used for storage, shelter, rest or refreshment, shall be stationed on the site without the prior approval in writing of the Local Planning Authority.

REASON: In order to protect the living conditions of nearby residents and/or the rural character of the area.

- 7 The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan received 4th April 2016; Proposed elevations and proposed site plan received 20th June 2016.

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

- 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.

- 9 **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.

- 10 **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.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

- 11 **INFORMATIVE TO APPLICANT:**  
Please note that this permission neither grants nor implies consent for a change of use of the land for the keeping of horses.

- 12 **INFORMATIVE TO APPLICANT:**  
The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.