

# REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	30 <sup>th</sup> June 2010		
Application Number	10/01108/S73		
Site Address	North End Farm, Ashton Keynes, Wiltshire, SN6 6QR		
Proposal	Conversion of Barn and Byre to Residential Use & Change of Use of Annexe to Separate Residential Use - Application to Extend Time Limit for Unimplementation of 05/00891/COU		
Applicant	Mrs Rita Chamberlain		
Town/Parish Council	Ashton Keynes		
Electoral Division	Minety	Unitary Member	Carole Soden
Grid Ref	404291 194967		
Type of application	Variation of Condition on Unimplemented Permission		
Case Officer	Christine Moorfield	01249 706 686	Christine.moorfield@wiltshire.gov.uk

## Reason for the application being considered by Committee

This application has been called to committee by Councillor Soden to consider the impact that the creation of residential properties in a conservation area will have upon the appearance of the countryside and to consider the impact of access, visibility and the increase in vehicular movements on highway safety.

## 1. Purpose of Report

To consider the above application and to Delegate authority to the Area Development Manager to Permit the application subject to the satisfactory comments of the Ecologist.

## 2. Main Issues

- History of the site
- To assess the Impact on Conservation Area
- To assess Highway safety, access and parking
- Wildlife
- Policies BD6, C3 and HE1 of the North Wiltshire Local Plan 2011

## 3. Site Description

This site is located within the Ashton Keynes Conservation Area. It is a prominent group of farm buildings situated adjacent to the main road through the village. The buildings are traditional in appearance some being built of stone whilst others are corrugated roofed barns outbuildings etc. There is an attractive stone wall along the front of the site adjacent to the road. Most of the buildings are in a state of disrepair as they appear not to have been used for some years.

<b>4. Relevant Planning History</b>		
Application Number	Proposal	Decision
03/00699	Conversion and refurbishment of barns to provide one dwelling with ancillary accommodation, garaging and storage	Permit
05/00891	Conversion of barn and byre to residential use, change of use of annexe to separate residential use	Permit

The history of this site has an important impact on the consideration of this application.

## **5. Proposal**

This proposal is for the conversion of a barn and byre to residential use and change of use of annex to separate residential use. This application is to extend the time limit for unimplemented permission granted by decision notice 05/00891/COU.

## **6. Consultations**

Parish Council-

Object to the proposal (reiterating their comments to 05/00891 for which planning permission was granted):

- Creation of six residential units too much and will have an unacceptable impact on the conservation area.
- Too much traffic generated by proposal thereby creating a highway safety issue.
- Redundant buildings should be used in accordance with policy for regeneration purposes stables are in use.
- Farm should retain its character.

Ecologist –

Prior to determination, a bat survey of the property should be submitted to the local planning authority. As a minimum this should include an inspection and assessment by a licensed bat worker, however if the building has potential to support roosting bats, this should be supported by nocturnal activity surveys in line with published best practice guidance.

Should evidence of roosting bats be confirmed by the above survey, a mitigation strategy will also need to be submitted to the local planning authority, demonstrating how bats will be safeguarded and accommodated throughout both the construction and operational phases of development.

## **7. Publicity**

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

One letter of objection has been received

Summary of key relevant points raised:

- Creation of six residential units too much and will have an unacceptable impact on the conservation area.
- Too much traffic generated by proposal thereby creating a highway safety issue.
- Redundant buildings should be used in accordance with policy for regeneration purposes stables are in use.
- Farm should retain its character.

## 8. Planning Considerations

### History of the site

Consent was originally granted for the conversion of some of the buildings in 2003; planning application no. 03/00699 was for the “conversion and refurbishment of barns to provide one dwelling with ancillary accommodation garaging and storage”. This was approved subject to conditions.

A planning application (05/00891/COU) for the conversion of barn and byre to residential use, change of use of annexe to separate residential use was approved on the 12/08/05 and the five year commencement condition expires on the 12/08/10. Whilst the earlier permissions were granted under the previous local plan (2001), it is not considered that there has been a significant shift in policy that could lead to a different conclusion to be reached. In addition, it is a significant material consideration that the 2005 application can be implemented (as long as work commences by August 2010).

Conditions attached to this permission were in relation to materials, joinery details, no extensions/ alterations, no dishes aerials etc, construction of stone walls, wildlife survey, access, parking provision, and racehorse training yard to cease. It is considered appropriate for these conditions to be attached to the new decision notice.

### Principle of residential development

This site is appropriate for residential purposes. It is located outside the settlement boundary of Ashton Keynes. The scheme involves the conversion of buildings and therefore is in line with policy BD6 of the North Wiltshire Local Plan 2011. The use has already been permitted on the site and can still be implemented. Therefore it would not be justifiable to refuse to permit this use in this location. The Local Planning Authority would need to show that there has been a material change in circumstances which would justify refusing this application. The site area is the same as that previously approved decision notice 05/00891/COU.

### Impact on Conservation Area

This site is located within the village Conservation Area. It is a very prominent site located adjacent to the main street through the village but is located to the north, outside the village centre. Both local and central government legislation and advice require development in Conservation Areas to preserve and enhance the character and appearance of the area. It is considered that these conversions will enhance the appearance of the Conservation area as well as preserving this group of traditional buildings. This was the view taken in 2005.

The scheme is considered acceptable subject to conditions in respect of the detailing of the conversion works.

### Highway safety access and parking.

When the scheme was considered in 2005 the highway engineer commented that in the light of the previous approval (2003) it was acceptable for residential to be permitted on this site. The engineer’s comments in respect of this proposal will be reported in the additional information but

the comments are not anticipated to be significantly different from those previously expressed. The layout remains as approved.

## Wildlife

The approach to ensuring the wellbeing of wildlife on development sites has changed since the previous permission was granted in 2005. In the light of these changes the council's ecologist recommends that:

Prior to determination, a bat survey of the property should be submitted to the local planning authority. As a minimum this should include an inspection and assessment by a licensed bat worker, however if the building has potential to support roosting bats, this should be supported by nocturnal activity surveys in line with published best practice guidance.

Should evidence of roosting bats be confirmed by the above survey, a mitigation strategy will also need to be submitted to the local planning authority, demonstrating how bats will be safeguarded and accommodated throughout both the construction and operational phases of development.

It is considered appropriate therefore that, should members be minded to grant permission, the scheme should be delegated to officers to approve the application once a survey has been submitted which satisfies the council's ecologist.

A condition requiring a bat study of the site to be carried out prior to the commencement of development as previously attached to the permission is no longer considered acceptable.

## Other Issues

The creation of new units may require the payment of commuted sums in respect of Public Open Space. Further advice is awaited from the Council's officers who specifically deal with open space provision and maintenance.

## 9. Conclusion

There has not been any significant or material changes in both local and government policy which would lead officers to make a different recommendation than that made in 2005. In addition, the previously approved application is still valid and can be implemented before the 12/08/10.

## 10. Recommendation

To delegate authority to the Area Development Manager to PERMIT the application following the submission of a satisfactory survey in respect of bats on the site and further advice on public open space contributions for the following reason:

This is an acceptable form of development in this location in terms of its layout, access, design and use. It is not considered that this scheme will detract from the character and appearance of the Conservation Area and therefore complies with policies C3, BD6 and HE1 of the North Wiltshire Local Plan 2011.

and 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. Prior to the commencement of the development hereby permitted, details of materials to be used externally shall be submitted to, and approved in writing by, the local planning authority. The development shall be built in the materials approved.

Reason: In the interests of visual amenity.

3. Prior to the commencement of the development hereby permitted, details of all new external joinery shall be submitted to, and approved in writing by, the local planning authority. These details shall include depth of reveal, materials and full drawings including both horizontal and vertical sections, to a scale of not less than 1:5. The development/works shall be completed in accordance with the approved details and at no time shall the approved joinery be altered without the prior written approval of the local planning authority.

Reason: To enable the local planning authority to be satisfied with the completed appearance of the development.

4. Prior to the residential use or occupation of any part of buildings 3 or 4 all external joinery shall be painted in a finish to be submitted to, and approved in writing by, the local planning authority. Thereafter the approved painted finish shall be retained unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of the character and appearance of the area.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) there shall be no extension or external alteration to buildings 1, 3, 4, 5 or 6.

Reason: In order to safeguard the amenity of the area by enabling the local planning authority to consider individually whether planning permission should be granted for extensions and external alterations.

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no garages, sheds or other ancillary domestic outbuildings shall be erected within the curtilage of the dwellings formed from buildings 3 and 4.

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

7. No television or radio aerial, satellite dish or other form of antenna shall be affixed to buildings 3, 4, 5 or 6 without the prior written consent of the local planning authority.

Reason: In the interests of the listed building.

8. Prior to the residential use of buildings 3 or 4 the 1.5m stone walls shown on the approved plans shall be completed in accordance with details which shall first be submitted to and approved by the local planning authority.

Reason: In the interests of visual amenity and to safeguard the residential amenities of prospective occupiers.

9. Any gates to the vehicular access shall be set back a distance of 4.5 metres, measured from the nearest edge of the carriageway to which access is obtained. Such gates shall be capable of opening only in a direction away from the carriageway.

Reason: In the interests of highway safety.

10. Prior to the use or occupation of the development hereby permitted, the car parking areas shown on the approved plan(s) shall be provided and shall thereafter be kept available for the parking of vehicles at all times.

Reason: In the interests of road safety.

11. Before building 3 or 4 is occupied as a dwelling the use as a racehorse training yard shall permanently cease.

Reason: To ensure a satisfactory residential environment.

<b>Appendices:</b>	<b>None</b>
<b>Background Documents Used in the Preparation of this Report:</b>	<b>1.20 2.02 2.34 4.02 4.03 4.04 4.07 5.01 6.01 6.03</b>

