

## REPORT OUTLINE FOR AREA PLANNING COMMITTEES

<b>Date of Meeting</b>	16 September 2015
<b>Application Number</b>	15/05938/FUL
<b>Site Address</b>	The Stables Ashes Lane Kington Langley Chippenham Wiltshire SN15 5NP
<b>Proposal</b>	Erection of Extension and Erection of Garage
<b>Applicant</b>	Mr & Mrs Livock
<b>Town/Parish Council</b>	KINGTON LANGLEY
<b>Division</b>	KINGTON – Cllr Howard Greenman
<b>Grid Ref</b>	392229 177315
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Charmian Burkey

### Reason for the application being considered by Committee

Councillor Greenman has called the application to Committee to discuss the scale and size of the development; over-development of the site; relationship to the neighbouring properties and the fact that a ditch appears to be being filled in to enable increased garden space which may exacerbate already severe flooding in the area.

#### 1. Purpose of Report

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

#### 2. Main Issues

The main issues in considering this application are:

- The size and scale of the development.
- Impact on neighbouring properties.
- Impact on conservation area.
- Impact on flooding.
- Compliance with Policy CP57 and CP58 and advice in the NPPF.

#### 3. Site Description

The proposal relates to a converted barn close to the equine dentistry business at

Ashes Lane. The barn has recently been granted its own entrance off Ashes Lane and can be occupied separately.

The site lies within the Kington Langley Conservation Area, but has limited public view.

The dwelling known as 4 Ashes Lane backs onto the site and the property is very close to the boundary, although has no first floor windows and is separated by a stone wall.

#### 4. Planning history

N/89/01444/FUL	CONVERSION AND EXTENSION TO EXISTING BARN TO FORM DWELLING
N/04/00294/S73A	TEMPORARY SITING OF MOBILE HOME AND TIMBER CABIN FOR AN EQUESTRIAN WORKER AND STORAGE OF HORSEBOX (RETROSPECTIVE)
N/04/00956/COU	CHANGE OF USE OF COW BYRE TO DWELLING
N/04/02275/FUL	EQUINE DENTISTRY FACILITIES INCLUDING TEACHING, HORSEWALKER AND GENERAL PURPOSE AGRICULTURAL BUILDING
N/04/02616/FUL	REVISIONS TO 04.00956.COU - CONVERSION OF COW BYRE TO DWELLING
N/04/02613/FUL	RETENTION OF MOBILE HOME FOR TEMPORARY PERIOD AND ERECTION OF TEMPORARY BUILDING FOR USE AS AN EQUINE DENTISTRY UNIT
N/05/02382/FUL	Conversion to Dwelling Including Extensions
N/10/04499/FUL	New Double Garage to Replace Existing Temporary Sheds and Construction of Small Porch Extension.
N/11/03928/FUL	Extension to Dwelling & Garage

#### 5. The Proposal

The application seeks consent for an extension to the converted barn and a new garage on the southern boundary. The proposal has been amended since its original submission so that the garage is now as approved under N/11/03928/FUL.

Application N/11/03928/FUL has now lapsed but granted planning permission for an extension the converted barn and a garage. The proposal as submitted is identical to the previous consent but seeks to extend the barn by a further 2.2m.

#### 6. Local Planning Policy

The relevant Planning Policies are CP57 and CP58 of the Wiltshire Core Strategy and sections 7 and 12, in particular, of the NPPF.

#### 7. Summary of consultation responses

Kington Langley Parish Council- Object:

- a) Lack of information on the application – No height has been specified for the proposed garage. It is noted that the proposed garage is in close proximity to a neighbouring property and therefore would over develop the area. Contrary to Wiltshire Core Strategy (WCS) core policy 57. This would not add to the value of the natural conserved environment

- b) The proposed extension would over develop the area which is in a conservation area and therefore would be contrary to:

WCS policy 57(iii) It does not respond to the existing landscape features in terms of layout, built form, height, mass, scale, and does not integrate into the original setting.

Policy 57(vi) Does not make efficient use of land whilst taking account of the characteristics of the local context to deliver appropriate developments. The proposed does not relate effectively to the immediate setting and wider character of the area.

Policy 75(vii) Does not have regard to the compatibility of adjoining buildings and uses or the impact on the amenities of existing occupants. Does not consider privacy or overshadowing.

- c) Is contrary to WCS policy 10.6 – It is noted that a ditch has been filled in to create a garden. This is seen to be a potential risk to flooding especially relating to a neighbouring property . No permission has been granted for this.
- d) Finally, the proposed is in a Conservation Area, therefore Conservation Area Consent would be necessary but has not been applied for.

Highways- No objection

Drainage- No comments received

## **8. Publicity**

The application was advertised by way of site notice and neighbour

letter. 1 neighbour has objected on the following grounds:

- a) The original permission was granted when the property was connected to the business for use by staff and was much smaller.
- b) The site is in the conservation area and will overdevelop the plot.
- c) The garage would loom over their property.
- d) The building has already commenced.

## **9. Planning Considerations**

The proposal relates to a barn converted in approximately 2005 to a residential unit. The unit is closely related to the next door equine dentistry business, but is not tied to it. Permission was granted under N/11/03928/FUL to extend the barn and to build a garage against the southern boundary.

This application seeks consent to make the previously permitted extension to the barn 2.2m longer (originally 10.5m and proposal at 12.7m), using matching materials. The barn conversion is attractive and simple and this additional accommodation, which makes the building L-shaped, is considered appropriate and undamaging to the character of the building and the character of the conservation area.

The garage as originally submitted was a modern building of poor design &

detailing. Negotiations have led to the applicant reverting back to the garage design approved under N/11/03928/FUL. The garage is to be constructed from timber boarding with a brick plinth and plain clay tiles. The garage will now be 1.5m to the rear eaves and 4.1m in height to the ridge which is 3m away from the back of the building. The adjacent property to the south does have a conservatory, which the proposed garage will cut across by approx. 3.5m. (Amended plans are awaited to confirm this). However, because the development is to the north and of modest size, the loss of amenity is not considered to be sufficient to warrant a refusal.

The proposal has limited public view and the impact on the Kington Langley Conservation Area is considered to be acceptable and its character preserved. It is considered that the impact on neighbouring properties is acceptable and that the proposal complies with policies CP57 and CP58 of the Wiltshire Core Strategy and guidance in 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 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 application contained insufficient information to enable this matter to be considered prior to granting planning permission and 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

- 3 No external stonework shall be constructed 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.

- 4 No development shall commence on site until details of the proposed ground floor slab levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and 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.

- 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), the garage(s) hereby permitted shall not be converted to habitable accommodation.

REASON: To secure the retention of adequate parking provision, in the interests of highway safety.

- 6 The development hereby permitted shall be carried out in accordance with the following approved plans: barn proposed elevations (Drwg 3) dated 17th June 2015 and Drwg 2260/08 dated 23rd July 2015 and Drwg 01A proposed layout plan dated 2nd September 2015

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

- 7 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.

- 8 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.

- 9 Please note that Council offices do not have the facility to receive materials samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.