CASE OFFICER'S REPORT

Application Reference:	PL/2023/02515
Application Type:	Full planning permission
Site Inspection:	
Consultation ends:	01 August 2023
Case officer:	Lucy Rutter-Dowd

Site Address:	SHAW FARM, NEW TOWN, STANTON ST BERNARD, MARLBOROUGH, SN8 4LU
Proposal:	Change of use of former stable and coach house to provide ancillary residential accommodation for Shaw Farm (part retrospective); associated changes to the building to facilitate the change.
Recommendation:	Approve with Conditions

Proposal and Site Description

The application site comprises Shaw Farm, associated buildings and land. The farmhouse, stable building and garden wall are all Grade II listed structures. The remaining structures on site are considered to be curtilage listed. The group of buildings are relatively isolated and surrounded by agricultural land. The site is washed over by the North Wessex Downs Area of Outstanding Natural Beauty. There are no other known constraints at the site. The Historic England Listing description for the Stables, the subject of this application, reads as follows:

SU 16 NW WEST OVERTON - 9/120 Stables at Shaw House II Stable block to east of house, c1880-90. Brick with tiled roof. Single storey with loft over. 'L'-plan with forward wing of 4 bays and gable lunette window and large clock. Bell turret of timber. Main range of 4 bays with sliding doors and recessed glazed entrance on left. Half-hipped attic door. Main roof also half- hipped. Interiors of left wing retains cast iron enclosures by Musgrave of London, with brass knobs and fittings. Cast iron mangers.

The proposal involves the conversion of the listed stable building into ancillary accommodation. The works are park retrospective as alterations have already been carried out to the stable door entrance in the form of installing glazed doors internally. External alterations include the insertion of a number of roof lights in the rear roof elevation and the formation of a bat loft in the adjacent building. The application was restarted due to changes in the red line site boundary, this was the result of initial concerns raised by the ecologist , that the required ecological mitigation fell outside of the applicants ownership, as such the application was restarted to allow for appropriate notifications taking place to adjoining land owners and for the site boundary to be altered to secure all ecological enhancements.

Policies

National Context:

National Planning Policy Framework (NPPF) Planning
Practice Guidance (PPG)
Planning (Listed Buildings and Conservation Areas) Act 1990

Local Context:

Wiltshire Core Strategy (WCS) adopted 2015

- Core Policy 1 – Settlement Strategy
- Core Policy 2 – Delivery Strategy
- Core Policy 50 – Biodiversity and geodiversity
- Core Policy 51 – Landscape
- Core Policy 57 - Ensuring high quality design and place shaping
- Core Policy 58 - Ensuring the conservation of the historic environment

Key Issues

- Principle of development
- Scale, design and materials.
- Impact on neighbour amenity.
- Parking / Highways.
- Impact on the special character of the listed building(s).
- Impact on the landscape setting of the AONB
- Ecology

Relevant Planning History

Associated application for Listed Building Consent, pending decision ref: PL/2023/02894

Consultation Responses

Ecology - Objections were received against the initial submission. Whilst the ecologist was in agreement with the findings within the Bat Survey submitted which confirmed a breeding roost within the roof of the stables, the application failed to demonstrate the required mitigation and enhancement measures. The applicant responded with an enhancement detail plan. The ecologist raised further concerns that the enhancement fell outside of the applicants ownership. The application was restarted, serving notice on the adjoining land owner. A revised enhancement plan and site plan were submitted which secured the proposed mitigation and enhancement detail within the application site boundary. No further concerns were raised subject to conditions. Detailed comments included within report.

Conservation - Support subject to conditions. Comments included within report.

Fyfield and West Overton Parish Council - No comments received.

Representations

None received.

Planning Considerations and Assessment

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

Principle of Development:

Core Policy 2 of the WCS states that *"Within the limits of development, as defined on the policies map, there is a presumption in favour of sustainable development at the Principal Settlements, Market Towns, Local Service Centres and Large Villages… At the Small Villages development will be limited to infill within the existing built area."* The proposal involves the conversation of an existing building for ancillary use within the domestic curtilage of an established residential property. As such, the works are considered acceptable in principle.

Scale, design and materials:

Core Policy 57 of the Wiltshire Core Strategy states that *"A high standard of design is required in all new developments, including extensions, alterations, and changes of use of existing buildings. Development is expected to create a strong sense of place through drawing on the local context and being complementary to the locality."* Proposals should seek to enhance local distinctiveness and have regard to existing townscapes, patterns of development and the historic environment and landscape setting.

The proposal causes little concern form a planning perspective in terms of scale, design and materials. The majority of the works will be internal and are considered in detail within the associated application for listed building consent (ref: PL/2023/02894). The external changes include the insertion of roof lights within the rear roof elevation which have little impact on the overall design and appearance of the building.

Impact on neighbour amenity:

The farm buildings to the north are under separate ownership. There would be no physical alterations to the building which would increase the existing impact on neighbour amenity.

Parking / Highways:

The proposal would result in an additional bedroom serving Shaw Farm. The application site is sizeable and can accommodate additional parking easily. As such, no concerns arise with regards to impacts on highway safety for parking.

Impact on the special character of the listed building:

CP 58 of the WCS states that development should protect, conserve and where possible enhance the historic environment…Designated heritage assets and their settings will be conserved, and where appropriate enhanced in a manner appropriate to their significance.

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires 'special regard' to be given to the desirability of preserving a listed building or its setting.

The proposal is supported by a Heritage, Design and Access Statement. Regarding the external alterations to the building, the following comments have been received from the councils conservation department:

The loft space already has sufficient space for the use proposed and has some natural light, although 6 conservation rooflights are proposed on the east facing roof slope in order to provide more daylight into the area. The one structural alteration which is required is the alteration of the truss across the coach house. It is proposed that the tie beam between the two queen posts be removed and replaced at a higher level so as to allow access underneath. This change would see an inverted 'U' shaped steel frame proposed to replace the horizontal collar in order to improve headroom.

Regarding the new conservation rooflights, it is proposed that these would be installed between the existing rafters, thereby minimising the historic fabric to be removed. It is also proposed to change the ground floor of the coach house, where windows have been provided to create a space that is currently used as a gym. The original doors would remain in situ, thus preserving the historic form and appearance of the building, with new, glazed doors to the rear, thus creating a liveable space and preventing weather ingress.

Overall it is considered that the design of the proposal has been carefully considered in order to retain the form and character of the listed building and minimise the impact on its historic fabric. The proposal would have limited harm to the building and this level of harm would be outweighed by the benefit of the building having a new use which will preserve its form and fabric for future generations.

No harm to any other listed structures within the vicinity has been identified.

Impact on the landscape setting of the AONB:

CP51 of the WCS proposes that Development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures.

The site lies within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). However, as the development remains within the built environment of the farmstead with little external alteration, no harm will be caused to the landscape setting of the AONB

Ecology:

The following comments have been received from the councils ecologist:

Thank you for consulting Ecology, I have reviewed the application and supporting documents against OS Maps and aerial photography of the site and surrounding area, together with GIS layers of statutory and non-statutory sites and existing records of protected species. The application is supported by a bat survey report by Cotswold Ecology Ltd. The bat surveys identified a brown long-eared bat breeding roost in the roof void of the stable. I am satisfied that they followed best practice guidance and agree with their assessment. A European Protected Species (EPS) bat Mitigation Licence will need to be obtained for the lawful construction of this development. In carrying out its statutory function the LPA needs to be reasonably sure that the proposed development will not result in adverse impact to protected habitats and species and that the necessary licence is likely to be forthcoming from Natural England. In terms of ecology, sufficient information has been provided to ensure that favourable conservation status of bats can be maintained should the application be approved.

The inclusion of bat boxes as a biodiversity enhancement is welcomed. Bat roosts provided as enhancement will continue to be available for bats for the lifetime of the development.

An updated Location Plan has been submitted, this document shows an amended red line boundary which now includes the location of the proposed bat loft and the bat box, both of which were was proposed to be located outside of the blue line ownership boundary. The bat loft and all three proposed bat boxes are now included within either the blue line or red line boundaries and therefore the proposed plans are able to be secured via condition. The "Extra information re: mitigation & enhancement of bat habitat PL/2023/02515 & 02894" document has also been updated to reflect the change in red line boundary. The development should be carried out in strict accordance with these documents.

Conclusion:

In conclusion, the proposed application seems fitting with regard to scale, design, and materials. The proposal is considered acceptable in the context of its surroundings and is in accordance with the general criteria set out in the aforementioned policies of the local development plan.

Conditions: (4)

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 and documents:

Doc Title: Application Form.
Drg Title: Existing Elevations. Drg no: S2_2009-Plan1a.
Drg Title: Proposed Elevations. Drg No: P2_2099-Plan1a.
Drg Title: Proposed Floor Plans. Drg No: P1_2009-PLAN1a.
Drg Title: Joinery Details 1. Drg No: P3_2099-PLAN1A.
Drg Title: Location Plan. Drg No: LOCATION-revA_2009-PLAN1a.
Drg Title: Proposed Stair (Including Sections). Drg No: P6_2009-PLAN1a.
Drg Title: Proposed Section B-B. Drg No: P5_2099-PLAN1a.
Doc Title: Structural Survey. Proposed By: Clegg Associates. Dated: March 2023. Doc Ref: SE-01-02.
Drg Title: Survey Ground Floor and First Floor Plans. Drg No: S1_20091a.

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

3 Bat roosts and bat access points will be incorporated into the development in accordance with the Bat Survey Report (Cotswold Ecology, October 2022) and Extra information re: mitigation & enhancement of bat habitat PL/2023/02515 & 02894 or as otherwise specified in a relevant European Protected Species Licence superseding this permission. The installation of these bat roosts and access features will be supervised by a professional ecologist. These bat roosts and access points will continue to be available for bats for the lifetime of the development.

REASON: To mitigate for impacts to bats arising from the development.

4 No external lighting shall be installed on-site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals in their publication “The Reduction of Obtrusive Light” Guidance Note 01/21 (reference GN01/21), have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

Informatives: (3)

5 The habitat within the proposed development site and the surrounding area is suitable for roosting,
foraging and commuting bats. An increase in artificial lux levels can deter bats which could result in roost abandonment and/or the severance of key foraging areas. This will likely result in a significant negative impact upon the health of bat populations across the region. Artificial light at night can have a substantial adverse effect on biodiversity. Any new lighting should be for the purposes for safe access and security and be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2021,
'Guidance for the Reduction of Obtrusive Light' (ILP, 2021), and Guidance note GN08-18 "Bats and artificial lighting in the UK", issued by the Bat Conservation Trust and Institution of Lighting
Professionals

6 The roof space of the stable is used as a bat roost. Under the Conservation of Habitats and Species
Regulations 2017 (as amended), it is an offence to harm or disturb bats or damage or destroy their roosts. Planning permission for development does not provide a defence against prosecution under
this legislation. The applicant is advised that a European Protected Species Licence will be required before any work is undertaken to implement this planning permission. Future conversion of the roof space to living accommodation or replacing the roof could also breach this legislation and advice should be obtained from a professional bat ecologist before proceeding with work of this nature.

7 All British birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 while birds are nesting, building nests and sitting on eggs. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits.