CASE OFFICER'S REPORT

Application Reference:	PL/2023/06369
Application Type:	Householder planning permission
Site Inspection:	
Consultation ends:	31 August 2023
Case officer:	Clare Wood

Site Address:	KINWARDSTONE FARM, GRAFTON ROAD, BURBAGE, MARLBOROUGH, SN8 3BU
Proposal:	Alterations to existing domestic ancillary buildings to the east of Kinwardstone Farm as described and shown within the supporting letter and drawings 214. PL01 - PL04
Recommendation:	Approve with Conditions

POLICIES:

National Planning Policy Framework 2023 (NPPF)

Wiltshire Core Strategy (WCS):

• Core Policy 50 Biodiversity and Geodiversity
• Core Policy 57 Ensuring High-Quality Design and Place-Shaping

ISSUES:

• Design and amenity.
• Impact upon Highways.
• Impact upon Ecology.
• Impact upon the North Wessex Downs AONB.

RELEVANT PLANNING HISTORY:

• 13/0416/FUL – Demolition of single storey extensions and erection of two storey extensions, with additional remodelling of farm house – Approval.
• 16/10730/FUL – Erection of a single storey gazebo – Approval.
• 17/09544/FUL – Alterations to existing outbuilding to provide ancillary garden building, and a replacement swimming pool in existing pool location – Approval.
• 18/06304/FUL – New pool building and tennis court with landscaping. Change of use from agricultural land to residential in area of tennis court – Approval.

REPRESENTATIONS:

Burbage Parish Council: No objection.

Highways Department: No objection.

Archaeology Department: No objection.

Ecology Department: No objection subject to conditions.

Third Party Representations: No comments received.

ASSESSMENT:

The Application Site

The application site consists of a large, detached farmhouse showing on ordinance survey maps dating from at least c. 1880, but much altered and modernised and set in a rural location exposed to long views from the south. From inspection, there is no obvious continued association with agricultural use of the surrounding land, and the house has more the character of a rural residential dwelling than as a working farmhouse.

The larger historic farm yard to the east and north was separated from the house when the property was sold in 2012 an remains a working farm. Since 2012 Kinwardstone Farmhouse has been upgraded consisting of remodelling of the farmhouse, erection of a gazebo, alterations to an outbuilding to provide ancillary garden use, and alterations to the swimming pool and tennis court.

The proposal relates to a courtyard shaped outbuilding to the east of the farmhouse that I currently used for domestic storage and stabling. The application site lies within the North Wessex Downs Area of Outstanding Natural Beauty.

Proposal

The application is seeking planning permission for the alterations to the existing domestic ancillary building to the east of Kinwardstone Farmhouse. The outbuilding consists of a large U-shaped building that forms a courtyard and is currently used for domestic storage and horse stabling. The proposed alterations involve reroofing, repair and repointing of brickwork, new doors and windows and some alterations to openings. The alterations will update the building and allow for part of the building to be used as ancillary guest accommodation.

There will be several new doors and windows added to the building. These are all within the internal courtyard area apart from a small number of high level small externally facing windows an one rooflight above the proposed kitchen. The majority of the proposed new doors and windows will be of crittal type glazing to match those of the already converted outbuilding on the site.
The internal courtyard will be upgraded and landscaped with a mixture of brick and stone cobles and the oil tank will be removed from the outbuilding relocated to the northwest of the building along with a new air source heat pump with planted screening.

Design and Amenity

Core Policy 57 of the Wiltshire Core Strategy requires new development proposals to respect the local context in terms of building layout, form, height, mass, scale, plot size and elevation design to

effectively integrate proposals into their setting. Proposals also need to be compatible with adjoining buildings and uses and protect the amenities of existing occupants.

The proposed modernisation of the outbuilding is considered to be well thought out and sympathetic with the surrounding buildings. The alterations do not involve increasing the size of the outbuilding and the courtyard structure will remain the same. The main alterations include upgrading the building with matching materials and introducing a number of doors and windows. The proposed doors and windows will be of crittal style to match those already in situ in the recently upgraded outbuilding opposite the main farmhouse. Matching these doors and windows will result in a cohesive appearance that links well its surroundings. Overall the proposed alterations of the outbuilding will be sympathetic in design and will result in an attractive building that sits well within its surroundings.

Impact upon Highways

The changes will not have an effect on the interests of the highway users and as such there is no highway objection.

Impact upon Ecology

An ecological survey was carried out on site and found the outbuilding to have moderate potential for roosting bats, though no bat roots were confirmed during the initial visit or subsequent nocturnal bat surveys. The stables have suitability for nesting birds and there is suitable habitat in the wider habitat in the wider area for badgers, brown hare and hedgehog. The ecology report makes a series of recommendations on Pages 17 and 18 for precautionary measures to be implemented as part of the development, to ensure that protected species are not adversely impacted by the works.

This development falls within the catchment of the River Avon Special Area of Conservation (SAC) and has potential to cause adverse effects alone or in combination with other developments through discharge of phosphorus in wastewater. The Council has agreed through a Memorandum of Understanding with Natural England and others that measures will be put in place to ensure all developments permitted between March 2018 and March 2026 are phosphorus neutral in perpetuity. To this end it is currently implementing a phosphorus mitigation strategy to offset all planned residential development, both sewered and non-sewered, permitted during this period.

Following the cabinets resolution on 5th January 2021, which secured a funding mechanism and strategic approach to mitigation, the Council has favourably concluded a generic appropriate assessment under the Conservation of Habitats and Species Regulations 2017 (as amended). This was endorsed by Natural England on 7th January 2021. The Planning Statement (Hoard, Ridge & Morris, July 2023) states that the development will be used as ancillary domestic accommodation to the house, therefore this application falls within the scope of the mitigation strategy and generic appropriate assessment and will not lead to adverse impacts alone and in combination with other plans and projects on the River Avon SAC. A condition restricting the use as ancillary to the main building should be applied to any permission. The strategic mitigation is being delivered by the council on behalf of developers, providing burdens are avoided and mitigated on site as far as practicable, such as the use of sustainable urban drainage systems (SuDS). For this application the above criteria have been met.

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 GN08-23 'Bats and artificial lighting at night', issued by the Bat Conservation Trust and Institute of Lighting Professionals.

The ecology report has not provided recommendations to mitigate for the loss of bird nesting habitat or to provide an enhancement for biodiversity on the site. Core Policy 50 of the Wiltshire Core Strategy requires all development to demonstrate no net loss of biodiversity and encourages developments to seek opportunities to enhance biodiversity. Details of ecological enhancements such as roosting bat features, bird boxes and habitat piles/hibernacula to be provided as mitigation/enhancement are required. Integrated features are preferable and can include integrated bird/bat boxes, bee bricks, or features such as access tiles for roosting bats. Details must be shown on a site plan/technical elevations drawing and should include location, number, type (include make/model, if appropriate) and positioning (height, aspect, surrounding habitat, as applicable.) Features must seek to benefit a target specie/s or group/s and demonstrate viability in terms of positioning on building, location and clustering in accordance with relevant guidance.

In summary, the proposal is considered acceptable in ecological terms subject to conditions.

Impact upon the North Wessex Downs AONB

The proposal, due to its position within a built-up area, will not encroach into the AONB and is therefore considered acceptable.

SUMMARY:

The proposal is considered acceptable in terms of its design and appearance. There will be no harm to the appearance of the dwelling or its surroundings, levels of amenity, highway safety, ecological habitat or the North Wessex Downs AONB. The proposal is therefore considered compliant with the aforementioned policies.

RECOMMENDATION:

Approve with conditions.

Conditions: (6)

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 accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling, known as Kinwardstone Farmhouse and it shall remain within the same planning unit as the main dwelling.

REASON: The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, nutrients associated with the River Avon Special Area of Conservation and planning policies pertaining to the area, would not permit a wholly separate dwelling.

3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building.

REASON: In the interests of visual amenity and the character and appearance of the area.

4 The development will be carried out in strict accordance with the following documents:

• Preliminary Ecological Appraisal Report and Bat Survey Report. July 2023. Stark Ecology Ltd

REASON: For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.

5 The overnight development hereby approved shall be designed to ensure it does not exceed 110 litres per person per day water consumption levels (which includes external water usage) and a water efficiency assessment should be submitted. Before the development is brought into use, a water efficiency report certifying that this standard has been achieved shall be submitted to the local planning authority for its written approval.

REASON: To ensure compliance with the prevailing mitigation strategy for nutrient neutrality in the water catchment within which this development is located.

6 Prior to the commencement of any works, including vegetation removal and demolition, details of the number, design and locations of bat roosts and nesting opportunities for birds shall be submitted to the local authority for approval. These details should be clearly shown on a site plan/technical elevations drawing. The approved details shall be implemented before occupation

of the final works.

REASON: To provide enhancement for biodiversity.

Informatives: (2)

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.

8 There is a low risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species 2017 (as amended) even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or the applicant is advised to follow the advice of a professional ecologist or to contact Natural England’s Batline through the internet.