DELEGATED REPORT

Application Reference:	PL/2023/07917
Application Type:	Planning Permission
Site Address:	Greathouse, Swindon Road, Kington Langley, Chippenham, Wiltshire, SN15 5NA
Proposal:	Variation of condition 2 of PL/2021/09764 - To allow for an updated layout for the Landscape Masterplan
Recommendation:	Planning Permission is GRANTED

SITE AND PROPOSAL

The application relates to a site formerly known as Greathouse, now Kin House, located within the settlement of Kington Langley, approximately 4km to the north of Chippenham. The property is set back from the Swindon Road (B4069) towards the eastern edge of Kington Langley village Conservation Area. To the north of the site is an employment site of various office / commercial use. There are no ecological or landscape designations affecting the site.

The site is formed by the Greathouse, which is a Grade II* Listed Building, an associated range of service buildings and a two storey dwelling. The property is an imposing former manor house set within generous grounds. The front of the house comprises a long nine-window facade that faces west into a parking forecourt enclosed by a high stone wall. The entrance from the road is via ashlar stone piers with ball finials, positioned off-centre. Attached to the north-east of the house is a long, single-storey modern bedroom block constructed in artificial stone with a hipped roof covered in concrete tiles. The site has woodland area, lawns and views to countryside to the east.

Planning permission was granted on 4th February 2020 for the change of use of the Greathouse from a care home to a mixed use hotel with conference and events facility (19/07639/FUL refers). Listed Building Consent was also granted for the associated works to the building (20/02761/LBC refers). The original scheme included conversion of the property into 12 bedrooms, kitchen, bar, lounge, salon bar, dining and bar, function room, meeting room x 2 and other ancillary rooms. The proposal also included car parking, landscaping, formal lawns, re-instating the swimming pool and Victorian style greenhouse. It also included demolition of the dwelling within the grounds. An application was later approved to vary conditions on the 2020 planning permission in January 2022 (PL/2021/09764 refers). The changes approved allowed for the two storey dwelling to be retained within the grounds, to provide staff accomodation, and for alterations to the landscaping scheme. The development is largely completed and the venue is now in use.

The current application scheme remains largely as previously approved and seeks to vary the approved landscaping plans listed in Condition 2 to alter the location of the outdoor pool. No other changes are proposed.

RELEVANT PLANNING HISTORY

19/07639/FUL Proposed Change of Use from a Care Home to a Mixed Use Hotel with Conference and Events facility, Demolition of the Existing Modern Two Storey Dwelling and Ancillary Development APPROVED

19/07746/LBC Proposed Change of Use from a Care Home to a Mixed Use Hotel with Conference and Events Facility, Demolition of the Existing Modern, Two Storey Dwelling and Ancillary Development APPROVED

20/02761/LBC Demolition and rebuild of existing modern single-storey addition APPROVED

PL/2021/09764 Variation of conditions 2 and 8 for application 19/07639/FUL ''Proposed Change of Use from a Care Home to a Mixed Use Hotel with Conference and Events facility, Demolition of the Existing Modern Two Storey Dwelling and Ancillary Development'' APPROVED

MAIN ISSUES

- Principle of Development
- Impact on designated heritage assets
- Visual impact and landscaping
- Residential Amenity
- Access and Parking
- Ecology

PLANNING POLICY

Wiltshire Core Strategy Jan 2015 (WCS):

Core Policy 1	Settlement Strategy
Core Policy 2	Delivery Strategy
Core Policy 3	Infrastructure Requirements
Core Policy 10	Spatial Strategy: Chippenham Community Area
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
Core Policy 60	Sustainable Transport
Core Policy 61	Transport and Development
Core Policy 62	Development impacts on the transport network
Core Policy 64	Demand Management

Saved Policies of the North Wiltshire Local Plan 2011 (NWLP):

NE14 Trees and the control of new development
NE18 Noise and Pollution

National Planning Policy Framework 2023 (NPPF):

Chapter 6 Building a strong, competitive economy
Chapter 12 Achieving well designed places
Chapter 14 Meeting the challenge of climate change, flooding and coastal change
Chapter 15 Conserving and enhancing the natural environment
Chapter 16 Conserving and enhancing the historic environment

CONSULTATIONS

Kington Langley Parish Council: Support

Historic England: No advice offered – refer to Council's specialist conservation and archaeological advisers

Wiltshire Council Highways: No objection. Noted a change in parking arrangements.

Case Officer note: The application cover letter referred to the site layout/landscaping plan approved under the first permission. The applicant later confirmed that it was the later s73 permission that had been implemented and submitted a revised cover letter. There is no change between the parking arrangements approved in the latest permission and this application. The only change is to the location of the pool.

Wiltshire Council Conservation: No Objection to the proposed minor changes to the site landscape plan.

Wiltshire Council Archaeology: No further comment

Wiltshire Council Landscape: No objection to location of pool. Highlight that there appeared to be a number of trees in proximity to the revised location of the pool which may be at risk of being directly impacted by excavation. Deferred to advice of the Council's arboricultural officer.

Wiltshire Council Tree Officer: No objection subject to a condition requiring AMS.

REPRESENTATIONS

The application was advertised by site notice and press advertisement.

No representations have been received.

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. The National Planning Policy Framework (NPPF) is a key material planning consideration. Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations.

Principle of Development

Decisions on planning applications are made in accordance with the policies contained in the Wiltshire Core Strategy and government guidance. The site is located in Kington Langely which is defined within the Chippenham Community Area Spatial Strategy (Core Policy 10) as a Small Village with no boundary. Proposals for development at the Small Villages will be supported where they seek to meet housing needs of settlements or provide employment, services and facilities provided that the development:

i) Respects the existing character and form of the settlement
ii) Does not elongate the village or impose development in sensitive landscape areas
iii) Does not consolidate an existing sporadic loose knit areas of development related to the settlement.

The site benefits from planning permission for redevelopment involving the change of use to a mixed use hotel and the associated development. This development is largely complete and the venue is in use. This application is submitted under s73 of The Act, and seeks only to change the landscaping plan, specifically to re-site the outdoor pool. Accordingly, consideration of the application should be appropriately confined to the acceptability of the change proposed.

In principle, the application scheme remains largely unaltered by the latest proposal. There are no known change of material circumstances that would allow a different conclusion to be found in this case. The previous conclusions in this respect are summarised below.

The proposal is a change of use that creates employment, and provides services and facilities. Through making use of the existing site and building, the proposal respects character and form of the settlement, does not elongate the village or impose development in a sensitive location. It is considered that the location of the proposal at the site is considered to be acceptable in principle subject to compliance with the other policies contained within the Development Plan.

CP39 (Tourist development) outlines *"Outside the Principal Settlements and Market Towns, tourist and visitor facilities should be located in or close to Local Service Centres or Large and Small Villages and, where practicable, be located in existing or replacement buildings".*

CP40 (Hotels, bed and breakfasts, guest houses and conference facilities) outlines that outside Principal Settlements and Market Towns, that tourism accommodation facilities will be supported, within;

ii. Local Service Centres, and Large and Small Villages where the proposals are of an appropriate scale and character within the context of the immediate surroundings and the settlement as a whole

iii. Outside the settlements above, proposals that involve the conservation of buildings that for contextual, architectural or historic reasons should be retained and otherwise would not be.

On balance, the proposal located within an existing building, is of appropriate scale and within the context of the surroundings, it is therefore considered that this proposal accords with Core Policies 2, 39 and 40.

Impact on designated heritage assets

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for works which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities in determining planning applications affecting a Conservation Area to pay special attention to the desirability of preserving or enhancing the character or appearance of that conservation area.

Core Policy 58 states that development should protect, conserve and where possible enhance the historic environment. Section 16 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Greathouse was added to the List of Buildings of Special Architectural or Historic Interest at Grade II* on 20 December 1960. It is therefore deemed by Historic England to be a designated heritage asset of particular importance. The site sits within the Kington Langley Conservation Area.

The heritage impacts were appropriately considered during the previous applications. No changes are sought in relation to the listed building works already approved. The minor change to the landscaping proposal to allow for re-siting of the pool does result in any notable change to the character of the gardens. The change would not negatively affect the setting or cause harm to the significance of the listed building. Similarly, the minor change would have a neutral impact on the character and appearance of the surrounding Conservation Area.

The Council's Senior Conservation Officer and Historic England raise no objection to the proposed change.

Overall, there are no changes to the building or landscaping that would lead a different conclusion to be reached. The revised layout is appropriate as part of the wider redevelopment of the site which secures the long-term investment in the heritage asset and its positive contribution to the surrounding Conservation Area. The proposal is considered in accordance with guidance contained within the NPPF and Core Policies 57 and 58 of the Wiltshire Core Strategy.

Visual Impact and Landscaping

WCS Core Policy 57 requires development to respond positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, elevational design, materials amongst other things. Core Policy 51 states that development should protect, conserve and where possible, enhance the landscape character. Sections 12 & 15 of the NPPF expects decisions to ensure development functions well and add to the overall quality of the area as well as protecting and enhancing valued landscapes.

The general landscaping scheme as approved is largely unaltered. The only change is re-siting the pool to an area which is well enclosed by an existing wall and mature vegetation. There would be no wider landscape impacts. The Landscape Officer raises no objection to the proposal though noted that there appeared to be trees in close proximity that may be affected by excavation works.

Given that the site lies within a 'Conservation Area' any additional tree works or tree removals would require planning consent though it would appear that none are currently envisaged as part of this variation. On visiting the site it was apparent that there were trees outside of the boundary wall but none within the garden area where the pool would be positioned. The Tree Officer reviewed the proposal, including site photos, and noted that the roots of the adjacent trees could be present within the application site. It was acknowledged that they would have some protection due to the presence of the stone wall, but that depending on the foundation depth of this wall, roots could be present. For that reason, an Arboricultural Method Statement was requested to demonstrate how construction of the swimming pool will be achieved without having a negative impact on trees on or adjacent to the land.

On consideration of the above, the design, scale, materials, layout and landscaping of proposed new build dwellings and overall appearance of the redeveloped site are considered acceptable. Subject to conditions to ensure the protection of retained trees and an appropriate scheme for planting, the proposal would integrate sufficiently with the existing character of the area meeting the requirements of CP57 and 58 as well as the requirements of the NPPF.

Residential Amenity

Core Policy 57 also states that development should have regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants and ensuring that appropriate levels of amenity are achievable within the development itself. Section 12 of the NPPF also states that planning decisions should create places with a high standard of amenity for existing and future users.

The changes proposed in this application does not alter the use of intended operation of the site as a hotel and events venue as already approved. The development will remain subject to the conditions attached to the original permission in terms of operation management, occupation of the dwelling and limitation on guest numbers.

On consideration of the change proposed within this application, the development is unlikely to lead to any unacceptable impact on the residential amenities of existing and future occupiers. The proposal is considered to comply with Core Policy 57 or the NPPF in this respect.

Access & Parking

Core Policy 61 Transport and New Development, inter alia, aims to ensure that the proposal is capable of being served by safe access to the highway network. Core Policy 64 Demand Management, inter alia, aims to ensure that adequate parking is provided.

There is no change to the existing access and parking arrangements. Though the Highways Officer's comments refer to changes to the parking spaces this was due to the application covering letter and submission incorrectly referring to the original permission rather than the later s73 varied permission which is the permission which has been implemented. The cover letter and plans were updated to clarify this matter.

With no change to the parking and access arrangements as previously approved, the proposal would continue to comply with the requirements set out in CP60 and 61.

Ecology

CP50 of the Wiltshire Core Strategy and the National Planning Policy Framework requires that the planning authority ensures protection of important habitats and species in relation to development and seeks enhancement for the benefit of biodiversity through the planning system. This latest application does not meet the local requirements for assessment by the Council Ecologist.

During the original application the Ecologist was satisfied that the details provided were sufficient. The approved scheme made provision for bats and precautionary measures have been set out for badgers, nesting birds, great crested newts, dormice and reptiles. Including removal of vegetation at ground level and below by hand during the summer months to avoid disturbing hibernating, dormice, reptiles or newts. A condition was also imposed requiring a Landscaping Plan for planting specification schedule, tree planting and sowing of wildflower grassland (Condition 10). This condition should still apply. The previous permission also included conditions requiring the development to be carried out in accordance with the Ecological Impact Assessment (ACD Environmental, 13th February 2020, Revision B and Lighting Plan (Bestique, 24/01/2020) (Conditions 11 & 12). It is necessary that the same conditions reaming in place to secure implementation of the mitigation measures and the lighting scheme as proposed. With appropriate conditions in place, the proposed development is considered to comply with Core Policy 50

CONCLUSION

In conclusion, it is considered that varying the approved plans condition to allow for an alternative location for the outdoor pool would comply with the requirements of Core Policies 1, 2, 10, 48 51, 57, 58, 61, 64 and 67 of the adopted Wiltshire Core Strategy, Sections 2, 5, 8, 12, 14, 15 and 16 of the National Planning Policy Framework and the provision of the Planning Acts. The change proposed would not result in any adverse landscape impacts or harm to designated heritage assets. The highways, ecology and amenity impacts are considered to be acceptable subject to relevant conditions being reapplied. In the absence of any material considerations indicating otherwise, Planning Permission should be granted.

RECOMMENDATION

That Planning Permission be GRANTED subject to the following conditions;

See Decision Notice