CASE OFFICER'S REPORT

Application Reference:	PL/2023/07095
Application Type:	Full planning permission
Site Inspection:	
Consultation ends:	05 December 2023
Case officer:	David Cox

Site Address:	The Dower House, Leigh Road, Holt, Trowbridge, BA14 6PR
Proposal:	Conversion of existing outbuilding to form a new dwelling
Recommendation:	Approve with Conditions

Proposal and Site Description

This is a full planning application for the Conversion of an existing outbuilding to form a new (4 bedroom) dwelling at The Dower House, Leigh Road, Holt, Trowbridge, BA14 6PR.

The proposal would use an existing access serving the building (which has gates approximately 3.5m from the road). Revised plans were received following initial objections from the Council's Ecologist relating to the amount of light spill onto the northern hedgerow, which resulted in the number of rooflights being reduced from 6 to 2.

There are three grade II listed buildings approximately 100m to the south east; at Holt Manor, and The Old Beer House and Stable at Manor House. There are also three Grade I listed buildings at Great Chalfield Manor to the north east approximately 600m away.

The supporting statement states;

"*This application concerns a single-storey, rectangular building, believed to have originally been constructed as a cow shed associated with Halls Farm, Leigh Road, Holt. Consent was approved in the mid 1980's for its change of use to a stable. It now forms part of the Dower House holding and it is located to the far north-west of Dower House and sits within a well-defined site, bounded by an unclassified road to the north and the buildings associated with Halls House to the south.*

Although the application building is not listed or a curtilage listed structure, it is nonetheless considered to have some intrinsic historic significance being a mid- 19th century cow barn (as detailed further in this statement). It is therefore considered to be a non-designated heritage asset. The building has now been underutilised for many years, with little investment into its maintenance and upkeep. It is now in need of work to sympathetically restore it and bring it back into an active use to secure its long-term retention.

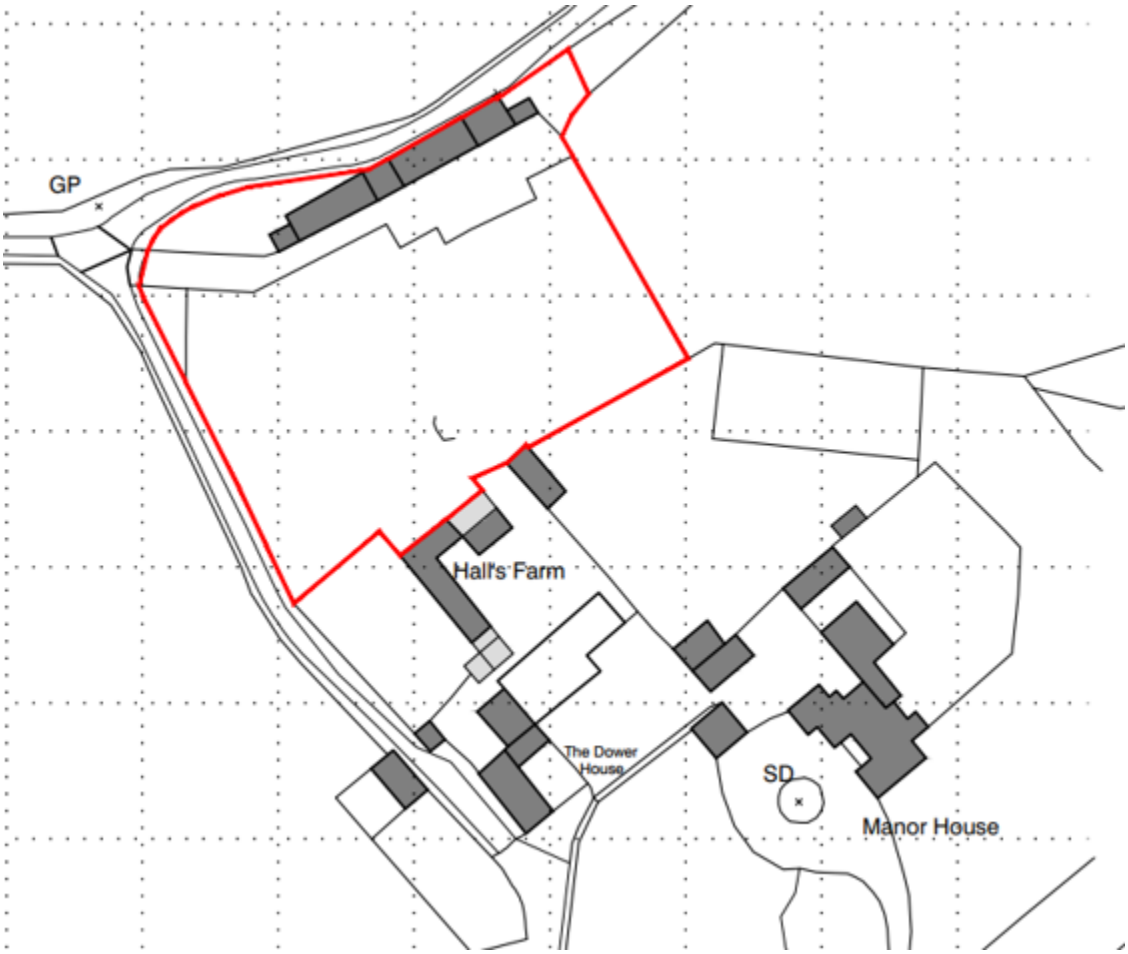
As the building benefits from an existing vehicular access and a wide expanse of associated land, it readily lends itself to a residential conversion.

The application building is a long rectangular building measuring 54m by 5.4m. In general terms it comprises a large central element divided into non-structural bays and has two smaller additions at either gable end. The external walls are constructed from mainly brick with smaller amounts of stone

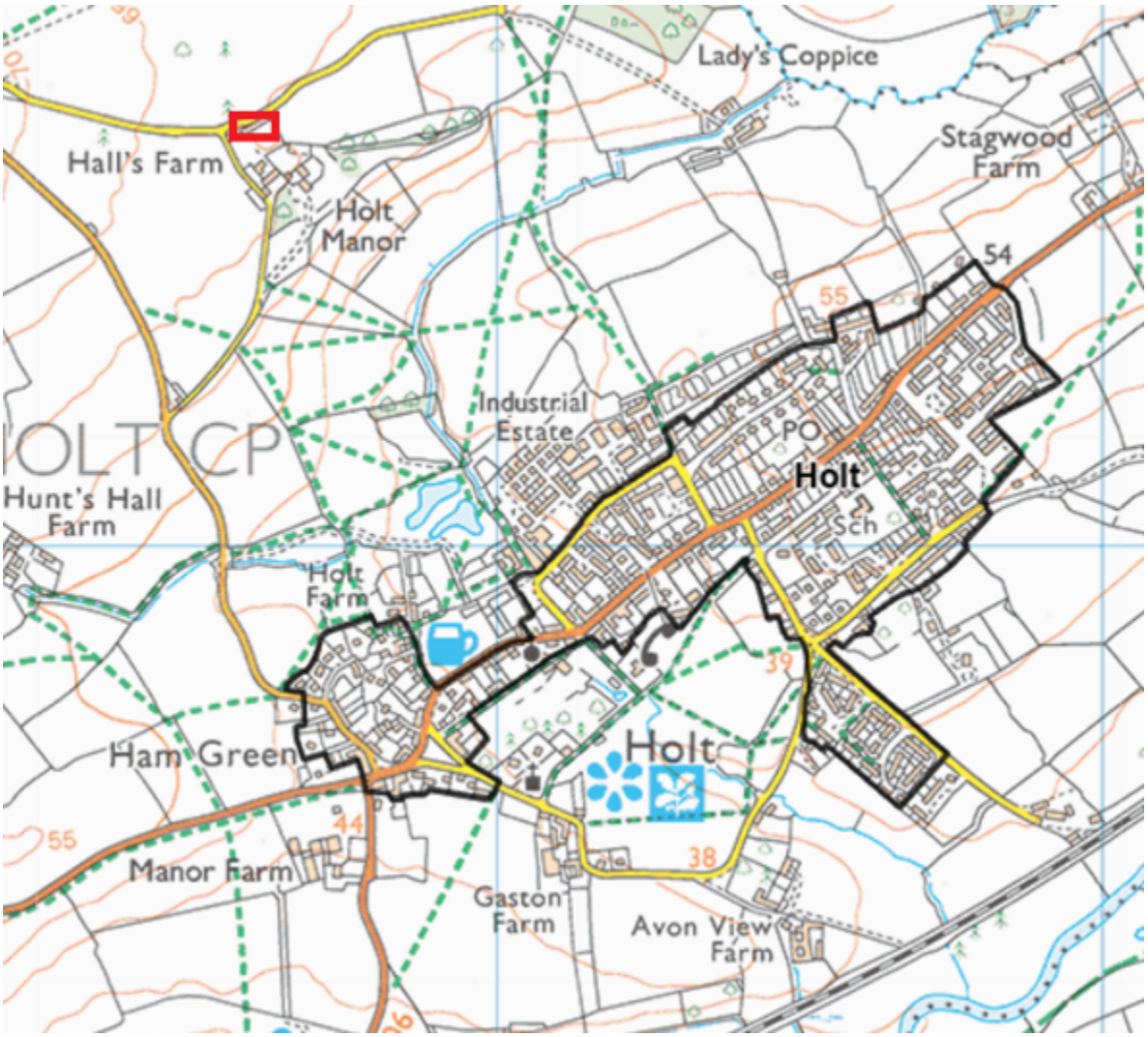
and concrete blockwork and sits under a pitched roof clad in clay tiles. The main central section of the building is divided into an open-fronted section (comprising 5 bays) and an enclosed section (comprising 7 stable compartments).

The proposal seeks to sensitively convert and reuse the barn, with the design concept very much seeking to remove the modern 1980's alterations (when the building was put to equine use) and utilise the conversion to retain and reintroduce features reflecting its original use as a cow barn.

A viability assessment has been submitted with the application to demonstrate compliance with WCS CP48."



Site Location Plan



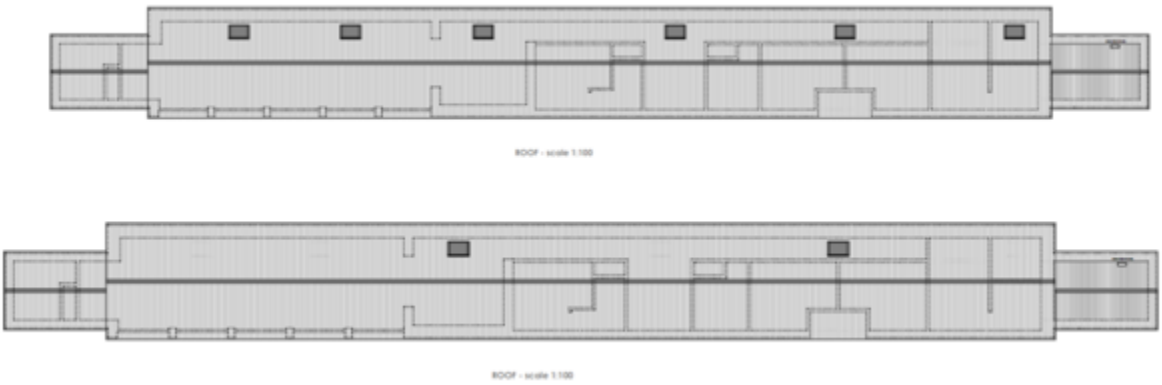
(Approximate) red outline of site in relation to Holt



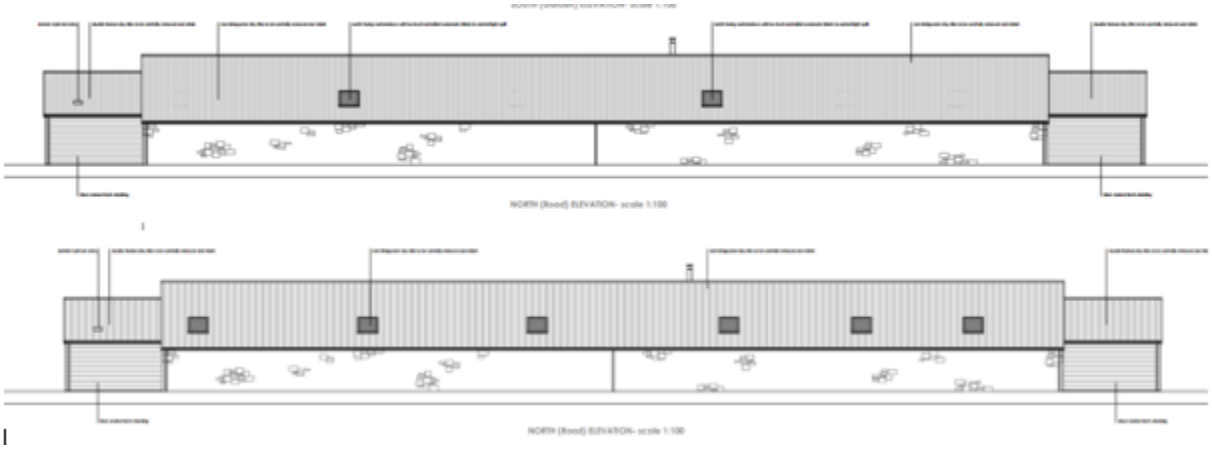
Photograph of southern (front) elevation of the application building



Google Street View May 2009 image of existing access into the site



Superseded and Revised Roof Plan



Superseded and Revised North Elevation Plan

Policies

National Context:

National Planning Policy Framework (NPPF) Planning Practice Guidance (PPG)

Local Context:
Wiltshire Core Strategy (WCS) adopted 2015 - CP1, CP2, CP39, CP48, CP50, and CP57.

Holt Neighbourhood Plan - H2.1, H3.2, P.1, E.1 and E.2

Key Issues
Principle of Development
Highways Safety
Ecology
Impact on the non-designated heritage asset
Impact on designated heritage assets

Relevant Planning History
W/85/00237/FUL - Change of use of cowsheds into stables

20/11316/FUL - Conversion and extension of an existing outbuilding used to store wood, into ancillary accommodation, install a new external swimming pool, pool building and new external landscaping along with the conversion of the hay barn into new changing rooms - Approved with conditions (NB this site relates to buildings and gardens within the main complex of Holt Manner and not the specific building subject in this application).

Consultation Responses
Holt Parish Council - No comments were received An email was however received on 21 September 2023 requesting an extension of time for their comments to be submitted. Nothing as a follow up.

Wiltshire Council Highways Officer: No objection: *subject to the following condition being attached to any planning permission granted:*

Any gates shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only.

Wiltshire Council Ecology Officer: Initially recommended objection on 20 September 2023 based on the following:

Ecological survey of the site was carried out by Malford Environmental Consulting at a suitable time of year and following industry guidelines. I consider that the level of survey has been thorough and appropriate to both the nature of the site and the scale of the development. The ecological survey found that the stables support low numbers of common pipistrelle (day roost), brown long-eared bat (day roost and feeding perch), lesser horseshoe (day and night roost) and greater horseshoe (day and night roost). Suitable habitat was also identified for nesting birds. The ecology report makes a series of recommendations in Section 5 for precautionary measures to be implemented as part of the development, to ensure that protected species are not adversely impacted by the works. These include avoidance measures and some provision of alternative features and habitat areas to ensure that wildlife continues to be accommodated within the development. Recommendations in the

ecology report regarding artificial lighting must be adhered to, especially in proximity to the bat house and boundary vegetation.

A European Protected Species (EPS) bat Mitigation Licence will need to be obtained for the lawful construction of this development. In terms of ecology sufficient information has been provided to ensure that favourable conservation status of roosting bats can be maintained should the application be approved.

The site is located just outside of the Bath and Bradford on Avon Special Area of Conservation (SAC) consultation zone and species records indicate that further bat roosts, including roosts of Annex II species are located in close proximity to the site, connected via a network of hedgerows. It is therefore anticipated that the northern site boundary is an important commuting corridor for bats, including Annex II species. The stables are located in an area which is unlikely to currently be exposed to artificial light and therefore the installation of six roof lights immediately adjacent to the dark corridor along the road is likely to result in a significant increase in artificial light levels. This could reduce the suitability of this linear feature for commuting bats and reduce the functionality of the site (and wider area) for these species. This could also reduce the likelihood of the bat house being used by the target species.

The six rooflights on the northern aspect must be reconsidered to ensure the road corridor and bat house access remain dark.

Biodiversity No Net Loss/Enhancement

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. The NPPF also encourages applications to deliver measurable net gain. At the current time therefore, the Council expects all applications to demonstrate no net loss of biodiversity and where appropriate to deliver a net gain.

The site will be enhanced for roosting bats through the provision of two bat boxes and a dedicated bat house (which also functions as mitigation for the loss of bat roosts).

The Proposed Block Plan (Drawing no: A17 22 13 P01 Rev B) indicates five trees will be lost to facilitate the proposals. Several roof lights are proposed immediately adjacent to site boundary vegetation and it is likely that further vegetation may need removed as it matures and potentially overshadows the roof lights or cause a nuisance through leaf litter build up in guttering and on the roof lights. Trees and hedgerows are important features for many species including nesting birds and foraging/commuting bats. Whilst the Proposed Block Plan indicates that there will be some compensatory planting, details of this have not been provided and it is not clear whether functionality of the site (and wider landscape) can be maintained if this development were to be permitted.

Whilst a Biodiversity Net Gain (BNG) calculation will not be requested here, the Council requires the proposal to demonstrate no net loss of functional habitat.

<u>Further Information Required:</u>

1. Reconsideration of the rooflights on the northern aspect and an assessment of the impacts of the development on foraging and commuting bats, especially Annex II species
is to be provided. This must take into account the proposed roof lights and any increases in artificial lighting.

2. Proposals to demonstrate that the functionality of the site (and therefore wider landscape) can be maintained. This should include details of the trees to be removed and any
compensatory planting proposed. Proposed planting should comprise native species of local provenance.

3. Details of features to be provided for nesting birds to compensate for the loss of nesting bird habitat must be provided on an enforceable plan.

Following the receipt of the revised plans - <u>updated comments wetre receievd on 5 December 2023</u> - No objection subject to condition

The proposed amendments to the design to reduce the number of roof lights is welcomed. The Proposed Block Plan has been updated to show the location and extent of new native hedgerow, tree and woodland understorey planting. The plan also shows the locations of features for roosting bats. I am satisfied that the submitted documents adequately address my previous concerns. Conditions have been recommended.

<u>Wiltshire Council Archaeology Officer:</u> No Objection

<u>Dorset & Wiltshire Fire and Rescue</u> - General comments only; *In the event the planning permission is granted for this development, the development would need to be designed and built to meet current Building Regulations requirements. The Authority raises the profile of these future requirements through this early opportunity and requests the comments made under B5 of Approved Document B, The Building Regulations 2010 be made available to the applicant/planning agent as appropriate.*

The assessment of this development proposal in respect of Building Control matters will be made during formal consultation, however early recommendations are identified on the attached schedules and relate to the following areas:

- *Recommendations identified under B5 of Approved Document B relating to The Building Regulations 2010*
- *Recommendations to improve safety and reduce property loss in the event of fire*

Representations
No third party comments were 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:

WCS Core Policy 1 addresses the Settlement Strategy and identifies four tiers of settlement – 'Principal Settlements', 'Market Towns', 'Local Service Centres', and 'Large and Small Villages'. Within the Settlement Strategy, Holt is defined as a large village where Principal Settlements, Market Towns, Local Service Centres and Large Villages have defined limits of development. Beyond these limits is countryside. Because the application site lies beyond the limits of development (see the snip image in the introduction), it is within the countryside.

WCS Core Policy 2 addresses the Delivery Strategy. It sets out a presumption in favour of new residential development within the Limits of Development of the settlements – including Holt – and further states that housing should not be permitted outside the limits except in the few circumstances explained in the policy, the exception policies which include CP48 - Supporting Rural Life.

Furthermore within the applicants supporting statement there is mention of the Council not being able to demonstrate a 5 year housing land supply and that the 'titled balance' applies. This was the case when the application was submitted (in August 2023) but in December 2023 the government changed the NPPF where Wiltshire Council is now identified as a para 77 and para 226 compliant LPA and as such, the previous 5 year HLS test become redundant and instead a 4 year housing land supply requirement was introduced for a 2 year transitional period or until such time that the Council adopts its emerging Local Plan. Given that the Council can demonstrate a 4.6 year housing land supply, the 'titled balance' does not apply and NPPF para 11 is not engaged.

Nonetheless, adopted WCS Core Policy 2 lists a number of exception policies including CP48, supporting rural life, which states;

"*Proposals to convert and re-use rural buildings for employment, tourism, cultural and community uses will be supported where they satisfy {set] criteria*". This is echoed by Holt Neighbourhood Plan policy H3.2;

"*This Plan supports the conversion of redundant farm buildings to housing notwithstanding permitted development rights granted by the Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions) (England) Order, or any subsequent amendment. Any planning application for the reuse or redevelopment of buildings will be accompanied by a bat survey and appropriate mitigation provided where necessary having regard to Wiltshire Council's Habitats Regulations Assessment guidance document for the Bath and Bradford on Avon Bats Special Area of Conservation.*

Any such development should meet the criteria for good quality design (Policy H2.1) and adequate infrastructure provisions should be in place."

The applicants have submitted a viability assessment (not published on the website due to confidential evidence contained) to help demonstrate that *employment, tourism, cultural and community uses* are not practicable propositions.

The report confirms that the site is in a semi-rural location approximately one mile from the centre of Holt.

Additionally;

"*Due to the narrow width of the roads leading to The Dower House and the close proximity of several nearby residential properties, Class B2 Industrial use has been discounted and furthermore, in our experience the scale, form and location of this building does not meet the market's needs for viable Class B8 Storage/Distribution use. Since the works required to facilitate a community use would see no meaningful return on the investment, this too has been discounted."*

Officers would add that using the Council's mapping system the nearest settlement boundary is approximately 1.1km away; and 1.3km to the Toll Gate Public House and 1.7km to the nearest Post Officer/shop. To walk this route wouldinvolve using unlit roads with no pavements until you reach the residential dwellings on Leigh Road, within the limits of development of the village.

There is however, a network of Public Rights of WAY which offer a range of routes to Ground Corner, Brook Lane or The Midlands via HOLT8 or HOLT16, which represent a circa 1km walk into the villages limits of development. These walks, whilst off the roads, are over open countryside and would also be unlit until you reach the village itself.

Therefore whilst the site is reasonably close to Holt, it is not in a convenient or easy location in which to be accessed by the people of Holt or from other surrounding areas. Therefore alternative uses would already be at a disadvantage.

Holt has the Glove Factory Studios which offers workspaces for hire (and is supported by ancillary services like a café). Holt also already has a village hall (supported by good car park), churches and a National Trust location. Holt is also between Market Towns of Bradford on Avon and Melksham which provide significant numbers of alternative provisions and services. This means that alternative employment, cultural or community uses are unlikely to be practicable propositions for the former cow shed/stable. This leaves *Tourism* use as the last use to be addressed.

The viability report continues;

"*As to tourism use, in our experience the management of a single holiday cottage (as opposed to a group of cottages) is a feature which will limit the appeal of the investor for this type of property*."

Officers would concur that this would be a large 4 bedroom unit and with a large garden. Whilst amenities like a hot tub could easily be provided, there would be a limit to the appeal of the unit as only 4 bedrooms would be provided. Indeed ifficers agree that a group of cottages offers more flexibility for larger parties and groups; and are either group booked or alternatively could still be let out individually. A single holiday let here therefore could be at a disadvantage in this regard.

The report also details the likely conversion costs to tourism (and employment, cultural or community uses), would each have a substantial 6 figure fee (not even taking into account finance, professional and potential re-sale fees) and would therefore be financially unviable, given that rents and receipts would take a long time to be received, especially in those numbers. Conversion to tourism would be the most expensive due to the need to fit out to a good standard and require more 'elements' than a light industrial or office Class E use would require. Tourism is a competitive market (as evidenced by websites like Air Bnb, Cottages.com, Vrbo, Holiday lettings and Sykes Cottages)

and would need to stand out to get consistent bookings. 'High End' offerings are also available at places like Centre Parcs near Warminster.

Therefore the report concludes;

"*The potential conversion of the barn to Class C3 Residential use in the form of a detached single dwelling is seen to be financially viable as in our view*."

Officers would concur that tourism use is not a practical proposition in this case.

CP48 goes on to state that;

"*where there is evidence that the above uses (tourism, community, cultural, employment) are not practical propositions, residential development may be appropriate where it meets the above criteria (the structurally sound, impact on landscape, adequate access and reasonable access to local services).*"

It is considered that the five criteria of CP48 are all met being a structurally sound building that is capable of conversion (as per the structural survey). There would be no change to the character and appearance of the landscape as efforts have been made to retain its original cow shed appearance and would have the same impact on existing residential neighbours. The site is already served by adequate access and is located very close to the large village of Holt and the two Market Towns of Bradford on Avon and Melksham for local services and facilities.

There are circumstances when that even when these criteria are met, residential development '*may*' only be appropriate i.e. it doesn't simply allow residential development anywhere and seeks to prevent housing in remote or isolated places. This site is still close to Holt and would therefore have access to its limited bus service and therefore the transport links offered by both Bradford on Avon and Trowbridge (a principal settlement). The site is located in the countryside but it is not unduly remote.

Officers are not minded to oppose this application in seeking to use the building (with the limited required conversion works) for residential use. Therefore it is submitted that in this instance residential development is considered to be appropriate.

Highways Safety:

The Council's Highways Officer has raised no objection to the proposal and the site has good access onto the main road. The request for the gates to be 4.5m back from the road is acknowledged although the site has had gates approximately 3.5m back from the road since the google street view image taken in May 2009. Whilst traffic from a four bedroom dwelling may exceed that of a stable, it has to be acknowledged that the stable was quite large (at least 7 stables) and if rented out individually, or even on a full livery basis, the traffic from staff, owners, and or riders would likely to be similar to that generated by a four bedroom dwelling. Therefore the request for a condition that the gates should be 4.5m back from the road cannot be reasonably imposed. The Council can however, add an informative to this effect.

Ecology:

The Council's Ecologist has provided a detailed updated response, and whilst initially objecting to the proposal, following the submission and appraisal of revised plans, which reduced the number of rooflights from 6 to 2 and provided details of features for nesting bird habitats (along with the proposed integral bat house in the building) the objection was removed, and the ecology recommendation changed to support subject to conditions.

Impact on the non-designated heritage asset:
Paragraph 209 of the NPPF states;

"The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."

Officers would agree with the applicants in that due to the buildings age, and historic association with Holt Manner that it would be a non-designated heritage asset. The building is not being lost and would retain its cow shed appearance by the retention of the 'bays' and the large openings. Therefore it would retain its historical agricultural appearance and therefore would fully comply with paragraph 209 of the Framework.



Proposed South Front Elevation

Impact on adjacent designated heritage assets:
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.

It is considered that the conversion to a stable from the original cow barn has caused more harm to the appearance of the existing building (and therefore its immediate relationship with Holt Manor) than would occur with the proposed conversion works. Therefore no harm would be caused to the setting of the three listed buildings of the Manor House, stable and Old Beer House, nor have any impact on its historic significance. It is considered to be preferable to bring the building back into use rather than to leave it unoccupied and potentially fall into a state of disrepair.

Officers are also satisfied that no harm would be caused to the settings or historic significance of the Grade I listed buildings to the north east (Great Chalfield). The application site is an existing building, which would be subject to minimal alterations which would be distant to the listed buildings, which also have woodland screening which limits the settings they have to the south.

Conclusion - Approve

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 development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Design and Access Statement, Planning Statement, Viability Appraisal, Location Plan (A17 22 13 S01), Existing Elevations Floor and Floor Plans (A17 22 13 S03), Partial Elevation Plan (A17 22 13 P03), Proposed Bat House Plans and Section (A17 22 13 P04 Rev C) and existing block plan (A17 22 13 S02 Rev B) - all received 21 August 2023

Structural Appraisal - Jonathan Apted Engineering Design (23-1031 - dated Jan 2023) - received 22 August 2023

Protected Species Survey and Mitigation (Malford Environmental Consulting 20 July 2023) - received 4 September 2023

Landscape Plan (proposed floor plans and elevations) A17 22 12 S04 Rev A, Proposed Block Plan (A17 22 13 P01 Rev D) and Proposed Floor Plans and Elevations (A17 22 13 P02 Rev E) - all received 16 October 2023

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

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

• Protected Species Survey & Mitigation Strategy. 20th July 2023. Malford Environmental Consulting.
• Proposed Bat House. Drawing no: A17 22 13 P04 Rev C. 11th July 2023. Atelier 17 Ltd.
• Proposed Block Plan. Drawing no: A17 22 13 P01 Rev D. 4th July 2023. Malford Environmental Consulting.
• Proposed Floor Plans. Drawing no: A17 22 13 P02 Rev E. 21st June 2023. Malford Environmental Consulting.

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

4 The building shall not be first occupied until the bat roosts and bat access points (as detailed on Drawing no: A17 22 13 P04 Rev C - Proposed Bat House) have been installed in full accordance with those details; and where the installation of the bat roosts and access features have been supervised by a professional ecologist, evidenced with photographs and have been submitted to and approved in writing by the local planning authority.

These bat roosts and access points shall continue to be available for bats and maintained as such in perpetuity.

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

5 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 have been submitted to and approved in writing by the Local Planning Authority. The plans will be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Professionals in their publication GN01:21, '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 Institution of Lighting professionals.

The approved lighting shall be installed and 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, to minimize unnecessary light spillage above and outside the development site and to protect protected species (bats)

6 All soft landscaping comprised in the approved details of landscaping (as shown on the proposed Block Plan -A17 22 13 P01 Rev D - and plan A17 22 13 S04 Rev A) shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

Informatives: (3)

7 The Stables 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.

8 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

9 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.