PLANNING STATEMENT

IN RELATION TO

REMOVAL OF A CONDITION APPLICATION

FOR THE REMOVAL OF CONDITION TWO OF DECISION E/2011/1111/S73 FOR CURLEW COTTAGE TO BE USED AS AN UNRESTRICTED DWELLING

AT:

CURLEW COTTAGE, HACKPEN HILL, BROAD HINTON, SWINDON, SN4 9NR

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October 2023

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1. INTRODUCTION

1.1 The purpose of this report is to identify and report upon planning considerations in terms of the design and access in respect of the above application.

2. BACKGROUND

2.1 Manor Farm is owned and occupied by the D G White Partnership. The applicants Mr Edward White and Mrs Madeline White are both partners of D G White Partnership. Manor Farm is a large arable enterprise extending to over 1,900 acres of farmland.

2.2 In 2010, planning was granted for three agricultural barns to be converted into holiday cottages under E/10/1147/FUL. This planning was then amended in 2011 as the previous condition was considered too limiting. The condition above was varied under decision E/2011/1111/S73 to the following;

"*None of the accommodation hereby approved shall be used other than as holiday accommodation and not as a main or permanent residence. The owner(s) of the units, or their successor(s) in title shall maintain a comprehensive up to date register listing occupiers of the holiday accommodation hereby approved, their main home addresses and the dates of occupation at the site. This register shall be made available for inspection by the local planning authority at reasonable notice."*

2.3 The three converted units are known as Badger Sett, Owl House, and Curlew Cottage. Badger Sett and Owl House have recently been subject to a successful certificate of lawfulness application and are now lawfully being used as unrestricted dwellings.

2.4 The CLUED for lawful use of Badger Sett and Owl House as unrestricted dwellings was permitted on 10th May 2023 (ref. PL/2023/02009). This subsequently followed a variation of conditions application which was approved 27th July 2023 (ref. PL/2023/04349) to vary condition 2 to apply to Curlew Cottage only.

3. PROPOSAL

3.1 This application seeks to remove condition 2 of decision E/2011/111/S73 from Curlew Cottage, as this is now the only remaining holiday let on site, to allow the property to be used as an unrestricted dwelling.

3.2 The initial planning condition was considered too restrictive by the applicants as they found they had limited bookings, and therefore applied to amend the condition in 2011.

The LPA sets out that the variation of the condition did not '*introduce any material planning harm'* and the variation of condition was approved. The newer condition does not stipulate an exact timing for which the properties are to be occupied, only that it cannot be a permanent residence, and for over 10 years, the two neighbouring properties have been lived in as a permanent residence without objection. Therefore, the impacts of Curlew Cottage becoming a permanent residence will be minimal, if not non-existent. Furthermore, full time occupants invest more into the local community area by living there permanently.

3.3 It is important to note that the proposal does not seek to make any external changes to the existing building, nor does it wish to alter the internal arrangements of the approved schemes in 2010. The proposal simply seeks to remove the condition which restricts the use of the dwelling as a permanent residence. The removal of this condition would not result in any material change in functionality or form, the proposal seeks to remove a condition which restricts the occupation of an existing dwelling, which appears as a dwellinghouse and provides all facilities required for a permanent residence at the property.

3.4 It is not intended to sell the freehold of the properties once the condition has been removed, and the dwellings will be retained as part of the farming business to provide a separate income stream. There will be no significant change in circumstances at the site, other than a full time tenant would occupy the dwelling rather than holiday makers.

3.5 The table below sets out the costs and income for Curlew Cottage based on the financial statements from D G White.

Curlew Cottage	
Total income (Jan 2017- Oct 2023)	
Total costs (Jan 2017- Oct 2023)	
Total Profit before tax	
Average monthly income over this time	

3.6 These figures for Curlew Cottage do not take into account labour costs for Mrs White for the running of the holiday cottage. Her time is invested into the holiday cottage and no salary is taken from the partnership to account for her labour, which includes;

- taking bookings through Air BnB, which requires a response within 24 hours of a query
- changeover of guests (including cleaning and restocking), which ranges depending on the length of stays but can be every 24 hours
- dealing with late cancellations and refunds
- promotional work including social media campaigns
- any utilities and repairs or replacements
- 'on call' for guests whilst they stay at Curlew cottage

3.7 Based on a similar property owned by the partnership, Curlew Cottage as a three bedroom cottage with private parking and garden located in the countryside but within approximate 4.5 miles from Swindon and the M4, this property would be let for approximately . The costs associated with running an unfurnished rental property once a tenant has moved in in comparison to a holiday let are minimal and will not in any case exceed and therefore is more viable on a monthly basis than as a holiday let.

3.8 Although short term holiday lettings can be let at a higher rate than long term rental, there are long periods of time where the Curlew Cottage is empty, it is typically only booked up during weekends and school holidays in the summertime (June-September). If this were to be let full time, there would be a constant income stream which is far more financially viable.

3.9 Typically, a tenancy will run for a minimum of 6 months, with many tenants remaining for a number of years. Although the rental income is less per week than a holiday let, it is a steady income throughout the year and is not subject to the last minute cancellations or empty periods. Badger Sett and Owl House have both been let on a permanent basis consistently since the 2012/2013, establishing that there is a market and a continuous demand for a permanent dwelling on site.

4. PLANNING POLICY CONSIDERATIONS

4.1 These residential dwellings are part of a larger agricultural business. Wiltshire core policy (2015) sets out that a number of target sectors have been identified to be

supported to move towards a higher value economy, one of which is agriculture and land based industries.

4.2 The NPPF (2021) paragraph 84 (a) sets out that planning decisions should enable the

(a) '*the sustainable growth and expansion of all types of businesses in rural areas, both through conversion of existing buildings and well-designed new buildings'*

(b) '*the development and diversification of agricultural and other land-based rural businesses'.*

4.3 The current economic climate and the changes to legislation regarding agriculture has heightened the need for diversification projects for farmers considerably in the last few years. Farmers are losing out on thousands of pounds each year from the removal of BPS and the uncertainty of any future schemes is forcing people to diversify. This dwelling is part of a wider agricultural business, and they provide a vital second income stream to the business. The national policy is set out to ensure that the planning system supports rural land based businesses and encourage diversification, the need for the local planning authorities to support the expansion of these businesses has never been more important.

4.4 The converted building is considered as suitable for an unrestricted residential accommodation as they are self-contained units within a residential curtilage. They are adjacent to the agricultural buildings, however, are separate from the agricultural use of the yard area, with allocated parking spaces and amenity space. The two neighbouring properties have been used as permanent dwellings for over ten years, which is now lawful. Therefore, the original reason for the condition, '*the site is within a position where the LPA, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit permanent residential accommodation'* is null void. The proposal does not include any operational development.

4.5 The National Planning Policy sets out the criteria for when homes in isolated locations are acceptable. It is noted that this criterion is not applicable in this instance, however,

this proposal would not result in any change of use as the residential use is already in place, it would simply allow the dwelling to be occupied all year round by a single tenant, rather than multiple tenants for shorter periods. Badger Sett and Owl House are lawfully permanent dwellings and, as shown on the curtilage and car parking plan, they are adjacent to Curlew Cottage and have been continuously occupied by tenants for over ten years without causing a negative impact. Therefore, the increase of one more dwelling to the site is not considered to cause a negative impact on the site.

5 USE

Curlew Cottage is currently in C3 residential use, with a condition that restricts occupation of the dwelling to be for holiday accommodation only. This application seeks to remove that condition, but there will be no change of use or any other material or physical change.

6 DESIGN & LAYOUT

6.1 The proposal does not seek to amend the design or layout of the site. The dwelling being used as permanent residence will not require any development to occur. Curlew Cottage was built in line with the plans approved in the original planning permission.

7. HIGHWAYS

7.1 There are three properties under use class C3 on site. Other than other agricultural buildings, there are no other buildings on site. Badger Sett and Owl House have been used as permanent dwellings for a period in excess of ten years, which was proven by the CLUED approved earlier this year. In this time, these two properties have not caused a negative impact on highways and this use was in place unnoticed for over 10 years. The properties are in close proximity to each other and use the same route of access, as shown on the Google Earth imagery below.

7.2 The application building already meets the car parking requirements. Wiltshire Car Parking Strategy (2011) set out that for a two bedroom dwelling, two parking spaces should be provided. There are two allocated parking spaces for each dwelling.

The site is accessed from a private, single track lane, owned by the applicant. There is good visibility in both directions, and there was not considered to be a highways risk

when the conversions were permitted previously. There will be no material changes to the access or the access track within this proposal.

8 ECOLOGY

8.1 The proposal is to regularise the use of the converted buildings as unrestricted dwellinghouses, the removal of this condition will not result in any changes to the property. Therefore, there will be no negative ecological impact.

9 WASTE COLLECTION

9.1 The properties are already registered to have their waste collected each month, given Badger Sett and Owl House on site are already occupied as permanent residential dwellings.

10 LANDSCAPE

10.1 The property is already part of the established character of the area, the removal of the condition would, in no way, change the character and appearance of the dwelling and would therefore not have a harmful effect on the landscape.

11 CONCLUSION

11.1 Three conversions were permitted at the application site in 2010 from agricultural use to C3 Dwellings with a restrictive holiday let condition attached. Since then, two of the three dwellings have been used as permanent dwellings, a breach in planning control which was made lawful earlier this year by a CLUED being approved. A variation of condition application was then approved, which varied the condition to only apply to Curlew Cottage.

11.2 This application seeks to remove this condition from Curlew Cottage and allow for this to be let as a permanent dwelling with no time restrictions.

11.3 There will be no material or physical change of use, no changes to the external or internal of the building. There will be no change to the landscape, nor any negative impact on the local area. The removal of this condition will not have a negative impact on highways, ecology, and there is already waste collection set up on site. The only change will be a permanent tenant, rather than multiple tenants for shorter periods.

11.4 Supporting rural land based businesses is highlighted as important in both local and national policy, and this is a diversification project as part of a wider agricultural enterprise.

11.5 In conclusion, the proposal creates no changes to the circumstances at the site, the units are more viable with an unrestricted use and planning policy supports the diversification of rural businesses, therefore the condition 2 should be removed.