CASE OFFICER'S REPORT

Application Reference:	PL/2023/10049
Application Type:	Lawful development: Proposed use
Site Inspection:	
Consultation ends:	28 November 2023
Case officer:	Mary Warner

Site Address:	Down View Farm, Limpers Hill, Mere, Warminster, Wiltshire, BA12 6BD
Proposal:	Construction of single storey extension to west elevation to provide family room and farm office, together with covered walkway between external doors
Recommendation:	Refuse

Site description

The host dwelling is a detached property providing accommodation for an agricultural worker at Downs View Farm, Limpers Hill, Mere. It is not sited within an Area of Outstanding Natural Beauty, it is not a Conservation Area or listed building and the property is not subject to an Article 4 Direction. The property is limited to the occupation of a person solely or mainly working, or last working, in the locality in agriculture. It is also subject to the removal of permitted development rights involving development within Part 1, Classes A - E (Development within the curtilage of a dwellinghouse)

Planning history

S/2010/0620

Erection of agricultural livestock building, stationing mobile home and construction of farm track, together with containment of complex with post and rail fence and appropriate landscaping) to allow the mobile home to remain on the land

Approved with conditions

13/04488/VAR

Remove Condition 4 of S/2010/0620 (erection of agricultural livestock building, stationing mobile home and construction of farm track, together with containment of complex with post and rail fence and appropriate landscaping) to allow the mobile home to remain on the land

Approved with Conditions - 06/12/2013 allowing the permanent retention of the agricultural workers' dwelling.

13/04485/FUL

Ground floor extensions and re-structuring of roof to provide additional accommodation

Approve with Conditions - 10/12/2013

Condition 3 - The occupation of the dwelling shall remain limited to a person solely or mainly working, or last working, in the locality in agriculture, or a widow or widower of such a person, and to any resident dependants.

Condition 4 - Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-

enacting or amending those Orders with or without modification), no development within Part 1, Classes A-E shall take place on the dwellinghouse hereby permitted or within its curtilage.

Policies
Not applicable, this is an application for a lawful development certificate under section 192 of the 1990
Town and Country Planning (General Permitted Development) (England) Order 2015, as amended, specifically Class A (extensions) of Part 1, Schedule 2 of this Order.

Assessment
The proposed single storey side extension is assessed against the criteria contained in Part 1, Class A (The enlargement, improvement or other alteration of a dwellinghouse) of the above referenced order:

Permitted development rights for this class were removed in condition 4 of application 13/04485/FUL, therefore the proposed development can not benefit from these rights and will therefore require the submission of a planning application.

Consultation
None undertaken due to nature of application

Conclusion
Permitted development rights for development within Part1, Classes A - E have been removed from this property, thus it can not benefit from development permitted in Class A. It is therefore recommended the certificate of lawfulness is refused.

Informatives: (1)

1 Permitted development rights involving development within Part 1, Classes A have been removed from this property, therefore a Certificate of Lawfulness is refused