DELEGATED REPORT

Application Reference:	PL/2023/06579
Application Type:	Householder Planning Permission
Site Address:	Oate Barn, Prospect, Kingsdown, Wiltshire, SN13 8AY
Proposal:	Extension and alterations to existing outbuilding to allow for ancillary accommodation.
Recommendation:	That planning permission is GRANTED.

PROPOSAL

This application seeks permission for the 'Extension and alterations to existing outbuilding to allow for ancillary accommodation.'

Initial plans showed the erection of a substantial extension to an existing outbuilding. Plans indicated the existing outbuilding being subdivided into 1No double bedrooms with the extension forming the lobby, shower room and open plan living area.

During the life of the application revised plans were submitted following initial concerns in respect of the scale of the development in the green belt.

Since the revisions did not address the initial concerns, a further set of revised plans was submitted by the applicant. Those plans further reduced the proposed extension to the outbuilding and reconfiguring internally to provide for the open plan living area within the existing barn with 1No double bedroom in the extension along with the bathroom and a small entrance. The proposed extension measures approximately 7.4m by 3m with a height to eaves of approximately 2.7 to eaves and to the ridge of 3.8m. Chosen materials include horizontal timber weatherboarding to match the main house and the roof is to be pressed metal sheets with standing seams and a matt finish. New openings are proposed on the existing outbuilding to the north-west and south-west elevations.

The description of development used by the applicant confirms that the accommodation is to be ancillary to the main dwelling on the application site (namely: Oate Barn). The use of the *Householder* application form confirms that the development for permission is sought is to be domestic development relating and ancillary to the use and occupation of an existing, single dwellinghouse. No reference is made within the application to the use of the new accommodation for a commercial purpose or to otherwise sever it from the planning unit of Oate House.

DESCRIPTION/CONTEXT

The property known as Oate Barn, Prospect is a detached two story dwelling which appears to have been converted from a former barn. The elevations are wide deep coursed stone walls with narrow ventilation slit openings and the roof is of double roman clay tiles. The front elevation has some characteristic details of a barn with arrow slit openings, quoins to the corners and a full height central gable to the front characteristic of a former barn entrance, there is a similar scale two storey rear wing

opposite the front gable. Externally there are outbuildings including a modern garage and the outbuilding, a much older structure, fronting the boundary with the road.

The property has a reasonably specious plot which extends to front, rear and south side of the property with the highway of Prospect to the north boundary. There are further grounds to the west beyond the front parking area containing a tennis court and further land in the ownership of the property rises up from the level of the tennis court and house to higher ground to the south.

The property lies within a small settlement of properties known as “Prospect, Kingsdown” the dwellings are set to either side of the highway. Prospect is set on higher ground to the southwest of the Village of Box in an area known as Kingsdown which enjoys extensive views over Box and the valley of By Brook beyond and is surrounded by open countryside.

The property lies within the Western Wiltshire Green Belt. And the Cotswolds AONB (now known as National Landscape). The property is not a listed building or within a Conservation Area. Public Right of Way Box75 lies approximately 150m to the north-west of the site. In other respects, planning policy regards the application site to be in the open countryside, outside of any settlement boundary defined within the Wiltshire Core Strategy.

PLANNING HISTORY

PL2022/01134 - Demolition of existing cantilevered first floor extension to front elevation, rear conservatory and side garage roof; Remodelling of front elevation; creation of 2 no. new rear single storey extensions; new roof to garage. Various internal alterations. Approved.

POLICIES

Wiltshire Core Strategy 2015 (WCS)
Core Policy 1: Settlement Strategy
Core Policy 2: Delivery Strategy
Core Policy 51: Landscape
Core Policy 57: Ensuring High Quality Design and Place Shaping

National Planning Policy Framework 2023 (NPPF)

Cotswolds National Landscape Management Plan 2023-2025

ISSUES

- Principle Of Development
- Green Belt
- Residential Amenity
- Landscape including AONB

CONSULTATION

Box Parish Council: No objection:

No objections providing it remains ancillary to the existing property and does not become a separate dwelling and there are no objections from the neighbouring property.

REPRESENTATIONS

Two letters of objection have been received to the application. Main issues raised are summarised below:

- If the accommodation is to be used as holiday lets or Airbnb, would object due to anti-social disturbance to neighbourhood. If ancillary to domestic dwelling, and not a business use, would not object.
- No need for separate ancillary accommodation with a kitchen and two bedrooms – Oate Barn is already large with lots of accommodation.
- Clear from plans that the property is intended to be used as a standalone property for rental.
- Concerned that development will be used as an Airbnb or rental property – disruption caused by such a use would have significant negative impact on amenity and peaceful character of quiet Kingsdown area.

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. At the current time the statutory development plan in respect of this application consists of the Wiltshire Core Strategy (WCS) (Adopted January 2015); and the 'saved' policies of the North Wiltshire Local Plan (NWLP) 2011 (adopted June 2006).

Principle of Development

The principle of domestic extensions, alterations and outbuildings within the curtilage of existing dwellings is established as acceptable. However, the detail of the proposals must also be considered against all other relevant policies within the development plan. That consideration is set out in the sub-sections below.

Concerns have been raised by surrounding residents as to the true intended use of the accommodation being created. Those concerns are understandable given the preponderance of short-term letting or holiday lets now seen across the country, and the extent/degree of "self-containment" of the accommodation being proposed.

Notwithstanding the capability of the resulting development to be occupied as a separate, independent unit of accommodation, permission is not sought to sever the planning unit or to somehow create a building that is capable of being occupied in a manner that is anything other than being ancillary to the use and occupation of Oate Barn as a single, domestic dwellinghouse. The application must therefore be determined at face value, although given the extent and nature of accommodation being proposed, it is considered necessary and reasonable to impose a planning condition which would restrict its use and occupation to that which is ancillary to Oat Barn as a single dwellinghouse.

Development within the Green Belt

There is no relevant local development plan policy on Green Belt and as such the NPPF, Section 13 is the only policy consideration on this matter. This sets out a negative planning approach and is one of the most restrictive planning policies in England. It sets out that development, except for specific exclusions at paragraph 154 and 155, is inappropriate. Furthermore, the NPPF states that inappropriate development is, by definition, harmful. It explains that development should not harm the defining characteristic of the Green Belt which is its openness, and that Green Belt policy should prevent the unrestricted sprawl of built-up areas and safeguard the countryside from encroachment.

For the purposes of green belt policy in the NPPF, the existing outbuilding is a separate building, and development affecting it is to be considered in isolation and without reference to its functional connection to the dwellinghouse it relates. In such an instance, the exception set out in paragraph 154(c) does allow for extensions and alterations to a building which do not constitute a disproportionate addition over and above the size of the *original building*.

The *original building* in this case is likely to be the small stone-built building positioned had up against Prospect. The building is clearly historic in nature and does not appear to have been substantively altered. Attached to the rear of the stone-built structure is a light weight open, steel sheeted canopy lean-to type structure. This is a later addition and one where there is no evidence to suggest that it could be regarded as the original building. For the purposes of paragraph 154(c), the original building is therefore considered to be quite limited in size.

The initial submission clearly advanced development of a scale that would be greatly larger and disproportionate than that of the original building. The revised plans did, however, significantly reduce the size of the addition; being a size that is more reflective of the existing lean-to structure. Whilst a comparative exercise between the existing lean-to element and the proposed extension is not directly relevant to an assessment against paragraph 154(c), it does allow for a more meaningful visual cue as to whether the extension will be disproportionate over and above the size of the original building.

In this particular case, the footprint of the extension measures approximately 7.4m by 3m with a height to eaves of approximately 2.7 to eaves and to the ridge of 3.8m, which is at a lower height than that of the original building. In the same manner of the existing lean-to structure, the reduced scale of the proposal does allow for size of development that would be very much subservient to the original building – with the span of its width being of a narrower gauge than that of the original building, and both ots eaves and ridge being stepped below. Indeed, its overall scale is considered to be relatively modest, and for that reason it can be concluded that it is not disproportionate to the size of the original building.

The extension is positioned within the site, screened by the existing outbuilding and as a result, the alterations do not encroach into the countryside or lead to the further sprawl of the built-up area, thereby preserving the openness of the green belt.

Accordingly, and following the submission of revised plans which significantly reduce the size of the extension, the pro[posed development is not considered to constitute inappropriate development in the green belt, in compliance with section 13 to the NPPF.

Design, Scale and Materials

Core Policy 57 of the WCS requires new development to respond positively to existing landscapes in terms of building layout, built form, height, mass, scale, building line and materials in order to effectively integrate the building into its setting.

The scale of the proposal (as revised) is considered sympathetic to the host dwelling and is subservient in design to both the original building and main dwellinghouse. The extension is of a modern design with a metal standing seem roof and timber clad walls which clearly reads as a high quality modern addition and reflects materials on the adjacent main dwellinghouse.

It is therefore considered that the proposals comply with Core Policy 57 of the WCS Development Plan and are considered acceptable in this regard.

Residential amenity

Core Policy 57 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 proposed extension is positioned well within the site boundaries and neither the extension or alterations to the outbuilding will result in overlooking or overshadowing to adjacent properties.

Comments have been received from local residents concerned that the building will be used as an Airbnb or holiday let and therefore result in noise and disturbance to local residents. Such concerns are understandable, not least because there is marketing information which can be found on the internet relating to Oate Barn which identifies various areas in the house and garden which are ideal for, and have been used for, parties. Nevertheless, there is no suggestion within the submission that the extended outbuilding will be used as accommodation, which is separate from, and not ancillary to, the use and occupation of Oate Barn as a single dwellinghouse. Clearly, noise, disturbance and unneighbourly activities or late-night parties can cause a statutory nuisance, and which are actionable under the Environmental Protection Act, but in this instance there is nothing within the submission which suggests the development would lead to the risk of such beyond that associated with a single domestic dwellinghouse.

However, in light of the extent of accommodation being created and the fact that it could be occupied independent of the main dwelling, it is considered reasonable and necessary to make use of a planning condition that would prohibit the severing of the planning use and the use or occupation of the accommodation for purposes which are not ancillary to Oate Barn as a single, domestic dwellinghouse.

The proposed extension to the rear of the existing stone-built element will be attached to the neighbouring property, Prospect Farm. Clearly, the provisions of the Party Wall Act are likely to apply and it will be for the applicant to assure themselves that any development/works undertaken is compliant.

In the context of the nature and layout of the development and subject to the imposition of conditions, there is considered to be no unacceptable impact upon the amenities and living conditions of the neighbouring properties and therefore the proposal is considered to comply with policy CP57 of the WCS.

Landscape

The application site is located within the Cotswold AONB. In regard to impacts on the AONB, Core Policy 51 of the WCS and Policy CE1 the Cotswolds National Landscape Management Plan and associated documents seek to ensure that the landscape character, scenic quality and geological features of the AONB are conserved, and where possible enhanced.

Due to the proportionate scale of developments and the proposed alterations being set within an existing residential curtilage and against existing built form, it is not considered there would be any significant adverse impact on the character and appearance of the area or AONB as a result. Whilst the dwelling does sit within an elevated plot, the proposal will not impact on the landscape character of the AONB.

The proposal is therefore considered to have limited impacts upon the natural beauty of the wider landscape and is compliant with CP51 of the WCS and CE1 of the Cotswolds National Landscape Management Plan 2023-2025

Access and Parking

Wiltshire Core Strategy policy CP61 states that new development should be capable of being served by safe access to the highway network. Core Policy 64, states that provision of parking associated with new residential development will be based on minimum parking standards.

The proposal will not impact on current parking arrangements with provision for 4+ cars available onsite. There are therefore considered to be no implications for parking, highway safety or road network capacity as a result of development taking place, compliant with CP61 and CP64 of the WCS.

Other matters

Comments have been received querying the need for additional accommodation given the existing levels of accommodation within the main house. There is no requirement for the justification of additional accommodation within a submission for householder planning permission therefore this is not a consideration as part of determination of this application.

CONCLUSION

Applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

It is considered that the proposal is appropriate in both scale and design and would not harm the special character of the AONB and would not be inappropriate development in the Green Belt. Subject to the imposition of conditions, neither would the development result in unacceptable impact on the amenity or living conditions of any nearby residents.

It is therefore in accordance with Core Policies 51 and 57 of the Wiltshire Core Strategy and: Policy CE1 of the Cotswolds National Landscape Management Plan 2023 and the relevant provisions of the National Planning Policy Framework.

RECOMMENDATION: That Planning Permission be GRANTED subject to the following conditions:

See Decision notice.