

Design and Access Statement

Catherine Court Farm, Coppershell, Gastard, Corsham,

INTRODUCTION

This planning and design statement has been prepared in order to support a planning application for the change of use of a holiday let to a residential dwelling.

The statement follows detailed consideration of the planning merits of the development proposal and an analysis of the Local Development Framework.

SITE DISCRIPTION

The site is 0.000 Ha in area and comprises a converted agricultural stable/barn building that was converted to a holiday letting unit under the provisions of a previous planning permission (No. 05/03266/COU). The building is located within a group of former farmyard buildings. The building is located on the western side of Coppershell, an unclassified road leading north west from the village of Gastard. The building has a separate access, a parking area and a garden/amenity area located to the south and south east of the structure. The accommodation comprises a large sitting room with dining area and separate kitchen, with stairs to four bedrooms, one with en-suite, and an additional bathroom.

The site is located in open countryside approximately 800m south east of the centre of the market town of Corsham with its wide range of services and retail outlets. Topographically the site slopes downward to the south. The site neither contains nor is adjacent to any listed buildings.

PROPOSED DEVELOPMENT

The submitted plans indicate the change of use of the existing holiday let to residential use. No external changes to the building are proposed. The dwelling would be provided with in excess of 2 off street parking spaces within the yard adjoining the building. These are existing spaces which have been provided to guests who have stayed in the unit when using it as a holiday let.

PLANNING POLICY CONTEXT

Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires proposals for development to be considered in accordance with the policy context of the adopted Development Plan and any other relevant material considerations.

The Development Plan

The Development Plan for Wiltshire comprises:

1. The Wiltshire Core Strategy adopted 10 January 2017;

The following policies from this document are considered to be of relevance:

Adopted Core Strategy

Core Policies 1 (Settlement strategy), 2 (Delivery strategy), 48 (Supporting rural life), 51 (Landscape), 57 (Ensuring high quality design and place shaping), 60 (Sustainable transport), 61 (Transport and development) and 64 (Demand management) of the adopted Wiltshire Core Strategy.

Of these policies the most relevant to the assessment of this proposal would be policy 48 (Supporting Rural Life) which has a paragraph relating to the conversion and re-use of rural buildings. This supports the conversion and re-use of rural buildings for employment, tourism, cultural and community uses will be supported where they satisfy the following criteria:

- i. The building(s) is/are structurally sound and capable of conversion without major rebuilding, and with only necessary extension or modification which preserves the character of the original building.
- ii. The use would not detract from the character or appearance of the landscape or settlement and would not be detrimental to the amenities of residential areas
- iii. The building can be served by adequate access and infrastructure.
- iv. The site has reasonable access to local services.
- v. The conversion or re-use of a heritage asset would lead to its viable long term safeguarding.

Where there is clear evidence that the above uses are not practical propositions, residential development may be appropriate where it meets the above criteria. In isolated locations, the re-use of redundant or disused buildings for residential purposes may be permitted where justified by special circumstances, in line with national policy.

National Planning Policy Framework (February 2019)

Paragraph 79 of the Framework states that planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;

- . b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- . c) the development would reuse redundant or disused buildings and enhance its immediate setting;
- . d) the development would involve the subdivision of an existing residential dwelling; or
- . e) the design is of exceptional quality, in that it:
 - is truly outstanding or innovative, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
 - would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

MATERIAL CONSIDERATIONS

Planning History

Reference to the planning history for the site reveals that planning permission was first granted for the conversion of the building to a holiday let was allowed on appeal under Ref; 05/03266/COU. An application to allow a change of use to residential was first considered under Ref; 05/023552/FUL but this was refused. Following the relaxation of an original condition restricting occupancy to 28 days per year (09/00752/S73A refers), a similar later application for unrestricted residential use was dismissed on appeal (14/07060/FUL refers).

The matter was again the subject of a planning application under Ref: 17/05852/FUL. Since the dismissal of the previous appeal, the red line area was reduced in size considerably, containing only a modest courtyard area proposed to be used as residential curtilage. Submitted information sought to demonstrate that the holiday let unit was neither marketable at an appropriate price as a going concern nor viable due to the associated running costs, such that sequentially less preferable uses should be considered.

In his report the case officer concluded that the issues of landscape harm identified by the inspector in the previous appeal decision had now been adequately resolved. However, the officer was not convinced that the unit had been advertised at a reasonable price given its limitations in respect of curtilage size and the need for a new owner to travel to the site to manage the property. Furthermore, the financial information concerning viability did not convince him that a successful holiday letting business was not viable here.

Personal Circumstances

The applicant and her husband had managed the holiday let business successfully from the adjoining farmhouse for several years. Following the initial granting of planning permission in 2005. However, her husband has now passed away and she is finding the management of the business increasingly difficult. She therefore wishes to divest herself of the unit whilst continuing to live in the farmhouse on the site. Selling the whole property is not her preferred option given that the farmhouse contains her memories of her previous shared life and is a source of comfort to her.

PLANNING ANALYSIS/BALANCE

Policy

It is noted that policy 48 of the Core Strategy allows the conversion or re-use of rural buildings in the countryside subject to the caveats listed above. Such an approach is supported by advice in paragraph 79 of the NPPF. It is considered that this should be the starting point in any planning assessment of the merits of the change of use. If the present use is not considered to be viable by the owner and if she ceases using it then the building would cease to have an active use and eventually could become derelict.

The dwelling is not a designated or undesignated heritage asset. It is not out of scale and character with the surrounding area and its design and siting does not harm the character of the area, the living conditions of future occupiers or adjoining occupiers.

The continued, active use of the building would be of benefit to the local landscape resulting in an active use of an otherwise unused and eventually, derelict building. There are no nearby neighbours that would be adversely affected by the proposed residential use.

Whilst the site is in open countryside, it is not in an isolated location being some 800m to the south east of Corsham and within easy walking distance of the centre of Gastard to the south with a public house and some, albeit limited, shopping and other facilities.

Viability Arguments

The case officer's assessment of the viability and marketing information submitted with the 2017 application has been carefully considered. In response a further viability statement has been included with this application. It is considered to be entirely reasonable to include expenses such as laundry and cleaning services, expenses arising from the regular replacement of towels, sheet and pillows and (albeit reduced) garden maintenance costs in the balance sheet. It is also entirely reasonable to allow for finance costs to be factored into any business balance sheet. To do otherwise would assume this is not a business but merely an (expensive) hobby. It is agreed that the 'profit' that thus arises should be the sum available for the owner to take an income from; thus no 'salary' expense is specified.

A letter submitted from the applicant's accountant confirms that the business generated a profit of £3,872 in the financial year 2019 – 2020 compared with the previous year at £5,671. This shows that there is insufficient profit to justify a purchaser taking on the property other than as a holiday asset for themselves with the income stream helping to offset the expense. Circumstances have deteriorated further this year with the limitations arising from the COVID pandemic. The unit accommodated 8 persons. As a consequence, the business has suffered from a number of cancellations as the building accommodates 8 persons.

The value of the property was established through an estate agent and the reduction in price represented fair value bearing in mind the encumbrance of the restrictive occupancy condition.

Personal Circumstances

Whilst personal circumstances are not usually given great weight in a planning assessment, the circumstances outlined can and should be given some weight in that assessment. It is evident that it would be difficult to sell the unit as a separate going concern, given its relationship with the farmhouse adjoining. The reason the applicant gives for not wishing to sell the whole complex and moving away from the area is considered reasonable.

Design

As there are no new changes to the external appearance of the building, it retains the appearance of a low, agricultural building constructed in local stone. It is therefore considered that there are no design issues in connection with this change of use.

Highway Access and Parking

The site benefits from an existing, safe access to the lane serving the site. The unit has in excess of 2 parking spaces and turning space thus complying with the Council's parking standards. There are therefore no highways issues that would complicate the positive consideration of this change of use.

Flood Risk

The site is located in Flood zone 1 and reference to Council records indicates that it is not at risk of localised surface water flooding. A flood risk assessment is therefore not required to be submitted with the application.

CONCLUSIONS

The proposal involves the change of use of an existing building that has already had planning permission for its development into a holiday let. The viability information now submitted, demonstrates that it would be difficult to sell the unit as a separate, going concern and the personal concerns that

would make it difficult for the applicant to sell the whole site and move to another property are reasonable and should be afforded some weight.

There are no highway issues that arise with the residential use of the units and the appearance of the buildings would not be changed. There are no flooding issues that arise from the development.

Accordingly, it is submitted that the planning application for change of use should be granted.

DELEGATED REPORT

Application Reference: 20/09979/FUL
Date of Inspection: N/A due to COVID-19 working restrictions
Date site notice posted: N/A
Date of press notice: N/A

PROPOSAL/SITE DESCRIPTION

The proposal relates to the change of use of a holiday let to an unrestricted residential dwelling at The Old Stables, Catherine Court Farm, Coppershell, Gastard.

Catherine Court Farm is located to the immediate West of Coppershell, an unclassified road leading northwest from the village of Gastard. The principal residence is situated to the north of the application site.

The application site comprises a modest detached former stable barn, the conversion of which to a holiday let was allowed on appeal (relevant app ref: 05/03266/COU) and which is run by the owners of Catherine Court Farm. The building benefits from its own separate access, parking and a modest amenity area. The accommodation comprises a four bedroom property. The site lies in open countryside outside of any framework boundary.

The first attempt to convert the building to an independent dwelling was unsuccessful (05/02352/FUL refers) on the grounds that it would represent an unsustainable form of development. Following the relaxation of an original condition restricting occupancy to 28 days per year (09/00752/S73A refers), a similar later application for unrestricted residential use was refused and dismissed on appeal (14/07060/FUL refers). Most recently, a further attempt was made to convert the holiday let to an unrestricted dwelling with a smaller red line that previously, and this was also refused (17/05852/FUL). This decision concluded that the issues of landscape harm identified by the inspector in the previous appeal had been resolved with the reduced red line. However the case officer was not convinced that a holiday let use was unviable, and the property had undergone some marketing at an unreasonable price. The proposal did not comply with CP48.

The current application red line is different from the above applications. It contains the holiday let, a modest area of amenity around it, but a new access route across agricultural land, and through an agricultural access.

POLICIES

Wiltshire Core Strategy (WCS) (Jan 2015)

Core Policy 1: Settlement strategy
Core Policy 2: Delivery strategy
Core Policy 11: Corsham Spatial Strategy
Core Policy 48: Supporting rural life
Core Policy 51: Landscape
Core Policy 57: Ensuring high quality design and place shaping
Core Policy 60: Sustainable transport
Core Policy 61: Transport and new development
Core Policy 64: Demand Management

Wiltshire Housing Sites Allocation Plan (Feb 2020)

No relevant policies

North Wiltshire Local Plan 2011 (June 2006)

Saved Policy H4

National Planning Policy Framework (NPPF) (June 2019)

Paragraphs 11, 38, 79, 102, 103, 108 and 110

Section 5. Delivering a sufficient supply of homes

Section 9. Promoting sustainable transport

Section 12. Achieving well-designed places

Section 15. Conserving and enhancing the natural environment

ISSUES

- Principle of development
- Impact on character and appearance of the area
- Neighbour amenity
- Highway safety

CONSULTATION

Corsham Town Council – Resolved: to recommend refusal of the change of use as:

i) It would constitute a new dwelling in the countryside contrary to Core Policy 2 of the Wiltshire Core Strategy.

ii) The Town Council was not convinced that use of the building as a holiday let was not viable.

iii) The change of use would be contrary to Core Policy 57 of the Wiltshire Core Strategy in terms of plot size – the plot is considered to small too provide adequate amenity space for future occupiers.

iv) Access and parking arrangements were not felt to be satisfactory.

Council's Highways Engineer – Objection on sustainability grounds. No highway safety or access issues.

REPRESENTATIONS

No public representations have been received in respect of the application.

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. In this case, the Wiltshire Core Strategy (WCS), including those saved policies of the North Wiltshire Local Plan, and the Wiltshire Housing Site Allocations Plan (WHSAP) form the relevant development plan. The NPPF is a relevant material consideration.

Principle of development

New residential development in the open countryside outside of any defined settlement boundaries is strictly controlled so as to restrict homes being built in unsustainable locations remote from local services, facilities and transport routes. CP1 "Settlement Strategy" of the Wiltshire Core Strategy sets out where sustainable development will take place across the plan period. CP2 "Delivery Strategy" of the Wiltshire Core Strategy states that other than circumstances as permitted by other policies within the plan, development will not be permitted outside the limits of development. CP11 "Spatial Strategy: Corsham Community Area" sets out the hierarchy of settlements within the area to which some development is anticipated.

One of the exemption policies referenced in Core Policy 2 is Core Policy 48, which supports the re-use of rural buildings for employment, tourism, cultural and community uses subject to criteria. Where there is clear evidence these uses are not practical propositions, residential development may be appropriate. The test is therefore whether the existing use as holiday let accommodation (and other uses within this policy) has been robustly demonstrated to not be a practical proposition.

There are two main arguments presented in the submission for justification of the proposal: personal circumstances and viability. In respect of personal circumstances, the Design and Access Statement states that the applicant is finding the management of the holiday let difficult

alone (previously managed with her late husband). The argument states that if the present use is not considered to be viable by the owner and if she ceases using it then the building would cease to have an active use and eventually could become derelict. It is claimed the unit would be difficult to sell given the relationship with the farmhouse adjoining, and the applicant does not wish to sell the adjoining farmhouse.

If the building stopped being used the holiday let would still remain its lawful use. This does not provide justification for its change of use. There is no tie between the holiday let and farmhouse, and it could be sold separately without issue. A valid consideration is whether someone else would be prepared to manage this unit who doesn't live at the farmhouse. There are ways of managing holiday lets remotely with key locks, and the site is not far from Corsham where cleaning services would be available. It is considered that the holiday let could be managed by someone living remotely. The application submission has not suggested that the unit has been marketed for sale for this use (or any other uses set out in CP48) to understand whether there is any interest. The personal circumstances do not justify the principle of the development.

The second argument presented in the statement is that the holiday let business is unviable. The applicant claims that the profit the holiday let makes is insufficient to justify a purchaser wanting to take on the property. A summary of accounts for the last three years has been provided from an individual on behalf of the agent. There is no evidence that these accounts have come from a chartered accountant and the accounts do not appear to be an extract from a set of audited accounts. There is no additional evidence to back up these claims such as receipts and invoices. No breakdown is provided on the occupancy rate of the holiday let. Agents costs appear quite high. Garden labour is very high for a small area of associated residential curtilage at £50 a week all year round. Mortgage interest has been included without explanation as where this figure originated from. Given the above considerations it is difficult to appreciate whether the costs within these accounts are valid and reasonable. Nevertheless, for the last 3 years the income from the property exceeds the costs which suggests that whilst it is not making a huge profit, it is financially viable.

It is also noted the accounts submitted in the most recent application (17/05852/FUL) comprised costs which weren't considered reasonable inclusions in the balance of profit/loss by the case officer.

The holiday let is understood to have been subject to some cancellations due to COVID-19. It is recognised that COVID-19 is having an ongoing impact to businesses such as holiday lets, which may account for the less profit compared to previous years. Despite the current COVID-19 pandemic, there is an ongoing demand for holiday accommodation in rural Wiltshire. Domestic travel is on the rise in the UK.

It is considered that there is insufficient evidence to suggest that the use of the building as a holiday let does not represent a practical proposition, and therefore the re-use of the building for an unrestricted dwelling is unacceptable in principle in accordance with Core Policy 48.

In accordance with CP48, only if the use of the building for tourism, employment, cultural and community uses were not practical propositions, could the building be used for unrestricted residential use. The agent's representative has provided the following justification in respect of the other sequentially preferable uses: *employment, community or cultural uses would cause amenity issues with the adjoining farmhouse. Employment uses may cause noise and smell issues. All uses could cause increased traffic movements and parking requirements compared to a C3 use. The premises are not likely to be attractive to a potential employer or operator of a community or cultural use given the rural location.*

There has been no evidence of marketing to understand whether there would be any interest in selling the property for holiday use, or whether there might interest for employment, tourism, cultural or community uses. It was suggested in the inspector's report of the appeal related to

14/07060/FUL that the marketing of the building would be a helpful first step in an attempt to demonstrate that these uses would not represent practical propositions for the building. It appears some marketing may have been undertaken submitted under the previous application ref 17/05852/FUL, albeit at an unreasonably high cost so this was considered insufficient. The alternative uses may be practical propositions, and there is insufficient evidence to suggest otherwise.

It is considered the proposal would also conflict with saved policy H4 of the North Wilts Local Plan and paragraph 79 of the NPPF which seeks to avoid isolated dwellings in the countryside.

It is not considered the current five year land supply position would provide any justification for the proposal.

Impact on the character and appearance of the area

No external changes to the building is proposed.

The original application for the change of use of the holiday let to a dwelling (ref 14/07060/FUL) included a large area of residential curtilage, including the paddock areas to the south and west. This was dismissed on harm to the character and appearance of the area (amongst other things). The red line boundary on the most recent application (ref 17/05852/FUL) was much smaller and with the access taken directly to the east. The current application takes access across an existing driveway over the paddock area to the south of the site. The access onto Coppershell was consented under N/02/02256/FUL, and the consolidated track appears to be roughly in the same position shown on the plans consented under 04/00300/FUL. As this is an existing access it is not considered the proposal would cause any landscape impact as a result. This driveway should technically be included within the change of use application if previously associated with agricultural use.

The proposed residential curtilage is modest in size and associated residential paraphernalia such as furniture and play equipment is unlikely to have any significant adverse effect on the open rural character of the area.

Neighbour amenity and Highways

It is not considered the proposal would result in harm to neighbour amenity at the adjoining farmhouse, and there would be adequate amenity at the application site. The site is also capable of providing adequate access, parking and turning facilities.

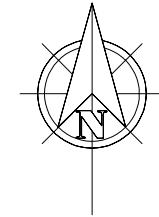
CONCLUSION

In light of the above considerations, it is found that it has not been adequately demonstrated that sequentially preferable uses as identified in Core Policy 48 are not practical propositions. The proposal for an unrestricted residential dwelling conflicts with the housing and delivery policies and represents an unsustainable form of development. Owing to its fundamental conflict with Core Policies 1, 2, 11, 48, 60 and 61, saved Policy H4, and NPPF Paragraphs 11, 38, 79, 102, 103, 108 and 110, and in the absence of any material circumstances indicating otherwise, the proposals are unacceptable in planning terms.

RECOMMENDATION

That planning permission is REFUSED for the following reasons:

- 1 The proposed development, by reason of its remote location in the open countryside and in the absence of robust evidence indicating that sequentially preferable uses are not practical propositions, would represent an unsustainable form of new residential development. As such, the proposals are contrary to Core Policies 1, 2, 11 and 48 of the adopted Wiltshire Core Strategy (Jan 2015), Saved Policy H4 of the North Wiltshire Local Plan (June 2006) and Paragraphs 11, 38 and 79 of the National Planning Policy Framework.
- 2 The proposal, located remote from a range of services, employment opportunities and being unlikely to be well served by public transport, is contrary to the key aims of local and national sustainable transport policy guidance which seeks to reduce growth in the length and number of motorised journeys. New development should be located and designed to reduce the need to travel by private car and should encourage the use of sustainable transport alternatives. The proposal is contrary to Core Policies 60 and 61 of the adopted Wiltshire Core Strategy (Jan 2015) and Paragraphs 102, 103, 108 and 110 of the National Planning Policy Framework (June 2019).



0m 10m 20m 30m
SCALE 1:1250 @ A4

BUILDING AT
CATHERINE COURT FARM
COPPERSHELL
GASTARD
CORSHAM
SN13 9PZ

LOCATION PLAN

DWG No : DJS/STCATH/001