

BOLINGBROKE DESIGN

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STATEMENT 14/07060 WITH COMPLIMENTS

Date: 18th July 2014

To: Wiltshire Council (Planning)

Ref:

Our Ref: 2238

Change of Use from non viable Holiday Let
to Dwelling at:-

The Old Stables, Catherine Court Farm
Coppershell, Garsfield SN13 9P2

For some years since its approval as a Holiday Let, The Old Stables has been marketed through a main agency (Rural Retreats). At first this approached viability, but for some time now the holiday let has not been viable, even with the owner/applicants carrying out their own "housekeeping".

For this reason the application is being made



Alvin Howard Dip. Arch RIBA

CASE OFFICER'S REPORT

Application Reference: 14/07060/FUL
Date of Inspection: 24.07.2014
Date site notice posted: 24.07.2014
Date of press notice: N/A

POLICIES

C3 (Development Control Core Policy)
NE15 (The Landscape Character of the Countryside)
H4 (Residential Development in the Open Countryside)

Core Policies 1 (Settlement Strategy), 2 (Delivery Strategy) and 51 (Landscape) of the emerging Wiltshire Core Strategy.

Paragraphs 55 and 109 of the National Planning Policy Framework.

ISSUES

The proposal relates to the change of use of a holiday let to an independent dwelling at 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 set back from the highway and accessed via a gated private driveway that leads past a pair of modest buildings immediately adjacent to the verge to a large parking area. A reasonably large garden extends thereafter to the South and West of the dwelling, with open agricultural land extending beyond the Western boundary marked by a timber post-and-rail fence. To the South of the property is a modest detached former stable barn, the conversion of which to a holiday let was allowed on appeal (05/03266/COU refers) and which is run by the owners of Catherine Court Farm. A previous 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. The building benefits from its own separate access, parking and amenity space and may be let out for much of the year; an original condition restricting occupancy to 28 days per year having been lifted (09/00752/S73A refers). The accommodation comprises a large sitting room with dining area and separate kitchen, with stairs to four bedrooms, one with ensuite, and an additional bathroom. The site lies in open countryside well outside the framework boundary for Gastard, which is proposed to be removed entirely under the emerging Wiltshire Core Strategy.

It is proposed to change the use of the building and its associated access and amenity space to an independent dwelling, enabling it to be let on a long-term basis or disposed of on the open market. The case is made that due to servicing costs, the holiday let is no longer viable as an ongoing enterprise, although no financial information is supplied in support of this assertion. The red line plan indicates a site area extending to the southernmost limits of the existing residential curtilage, which was previously established through a Certificate of Lawfulness (06/02981/CLE refers) and also includes in excess of a further 900m² of agricultural land beyond the western boundary. It is assumed that this represents the proposed residential curtilage, although the means of delineating/enclosing this are not indicated. The application is for a change of use only, and does not include any physical alterations to the building, access, grounds or agricultural land beyond.

REPRESENTATIONS

Corsham Town Council – objections, *“on the grounds that the change of use would effectively expand the settlement which would be undesirable.”*

ASSESSMENT:

It is considered that the proposed change of use to an independent dwelling in this location represents a wholly inappropriate form of development that would conflict with the policy objectives of reinforcing established settlements. It is noted that under the emerging Wiltshire Core Strategy, Gastard is classified as a ‘small village’ and is accordingly to have its development framework boundary removed entirely. The Delivery Strategy asserts that new residential development should not *‘elongate the village...’* or *‘consolidate an existing sporadic loose knit area of development related to the settlement’*. As such, the proposal is considered to be a demonstrably unsustainable form of development. This view is shared by the Inspector in dismissing the appeal in relation to 05/02352/FUL, who concluded that a holiday occupancy condition was necessary in order to prevent *“the building from being occupied on a long-term basis in an area where the Local Planning Authority would not normally permit a new dwelling or change of use to a dwelling”*. In this instance, it is considered that the proposal is unacceptable in principle and there is no evidence of exceptional circumstances that should justify such an unsustainable form of development warranting deviation from the Council’s plan-led approach to new development.

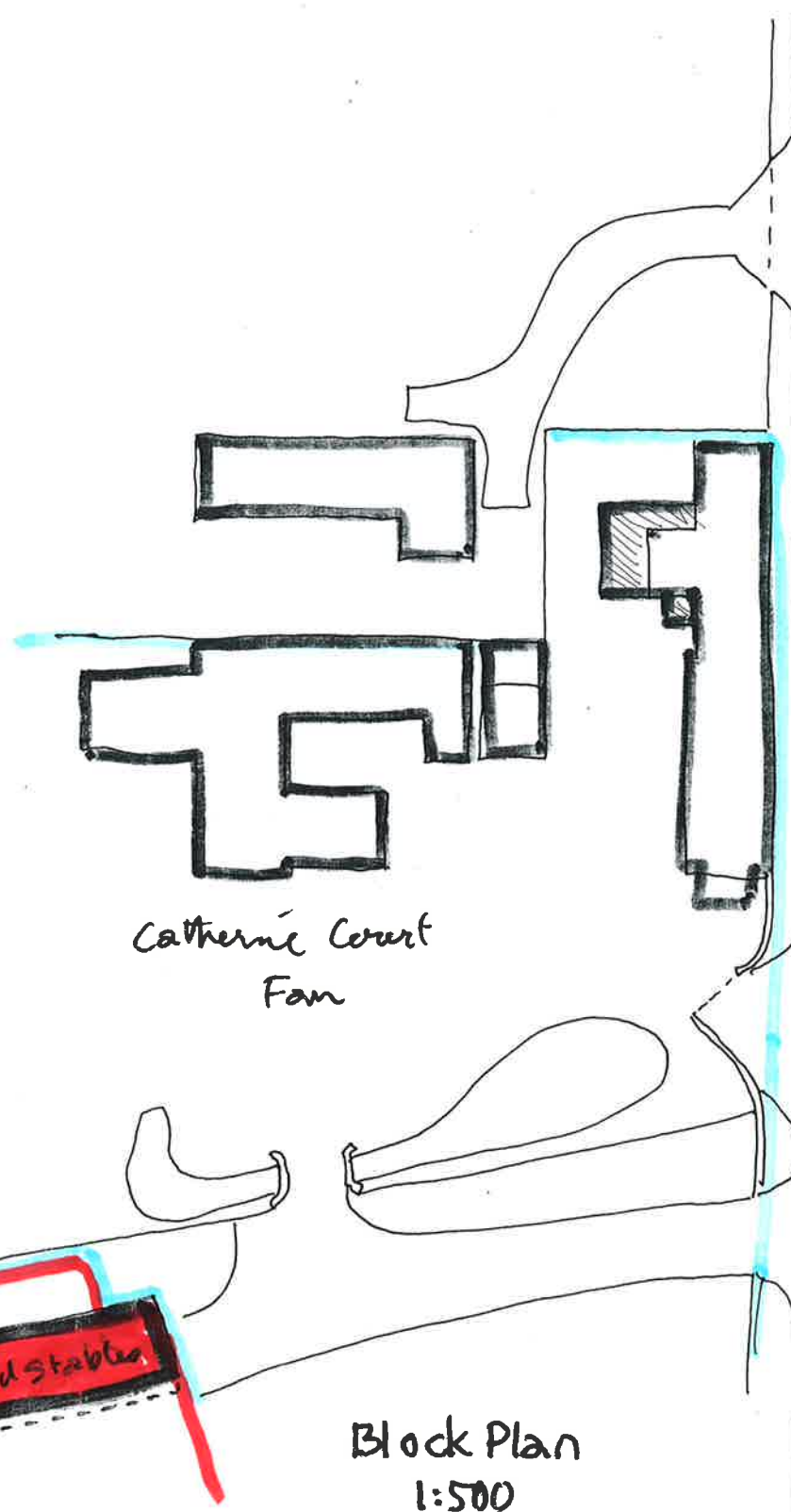
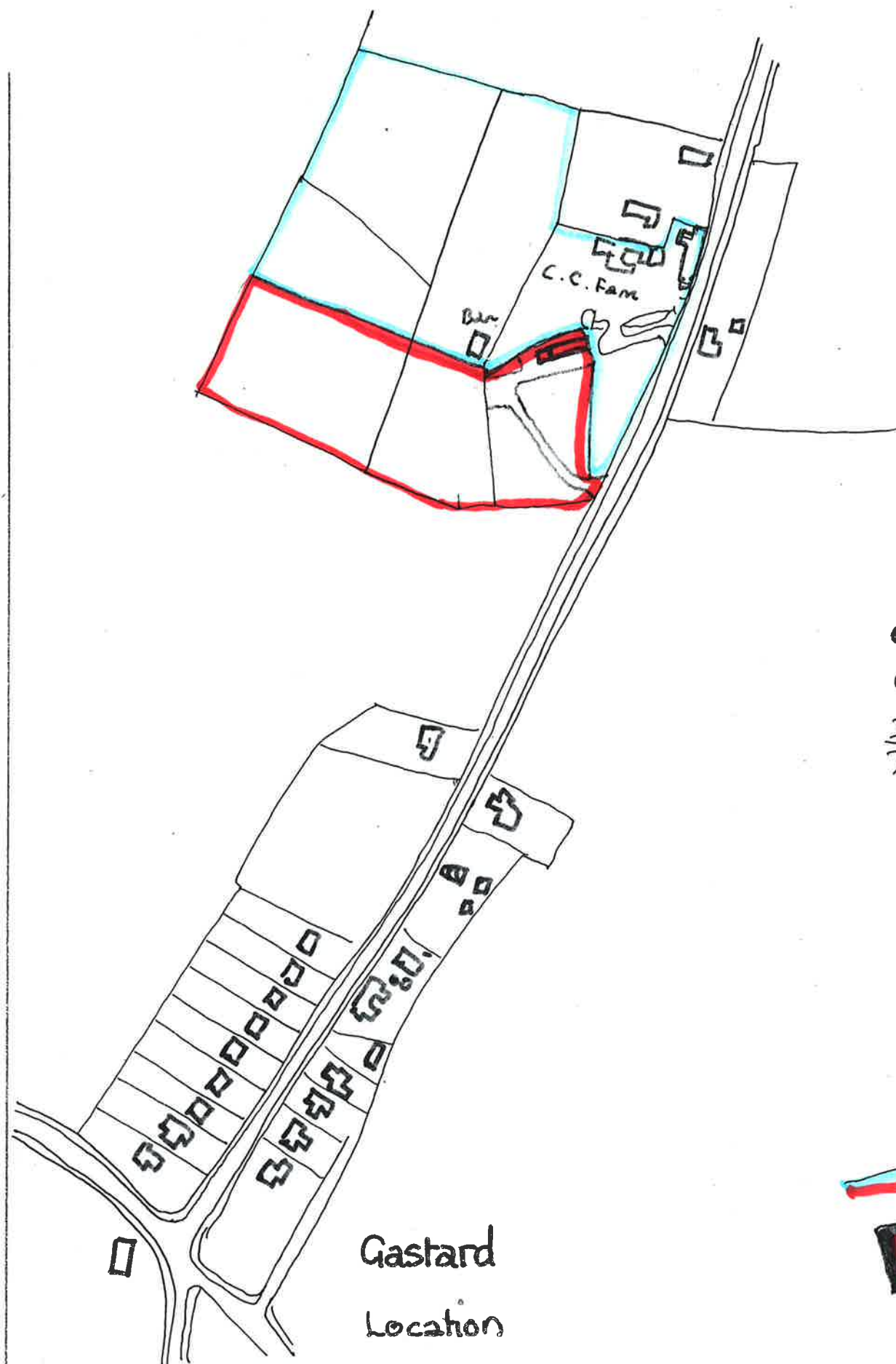
Turning to the site-specific circumstances, the change of use to an independent dwelling, in contrast to a holiday let that is unlikely to be occupied year-round, is likely to give rise to the proliferation of domestic paraphernalia including garden furniture, private vehicles, garden and play equipment and all manner of external storage that would not be anticipated as a consequence of the existing use. This, it is considered, is inappropriate in an area of open countryside and would harm the character and setting of the site. The further expansion of the already substantial domestic garden into the field beyond, creating an incongruous offshoot of domestic use into agricultural land is considered wholly inappropriate for similar reasons and appears to be without justification. Increased activity in this location, and the consequent noise and light pollution, would also be detrimental to the general rural character of the area. For these reasons, it is considered that the proposal is unacceptable in planning terms.

RECOMMENDATION:

That the application is REFUSED, for the following reasons:

- 1 The proposal, by reason of its remote location, would represent an unsustainable form of new residential development in the open countryside, contrary to Policies C3 and H4 of the adopted North Wiltshire Local Plan, Core Policies 1 and 2 of the emerging Wiltshire Core Strategy and Paragraph 55 of the National Planning Policy Framework.
- 2 The proposal, by reason of its siting, size and use, would harm the character and appearance of the site and its setting within the open countryside. The proposal therefore conflicts with Policies C3 and NE15 of the adopted North Wiltshire Local Plan, Core Policy 51 of the emerging Wiltshire Core Strategy and Paragraph 109 of the National Planning Policy Framework.

14/07060



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LEGEND:-
Exg Walls
New Stone
New Brick
New Block
New Stud

NOTES:

All dimensions must be checked on site and not scaled from this drawing. © All copyright Reserved 2012

Client **Mr & Mrs S. Tunbridge**
Job Title **Holiday let**
Catherine Court Farm, SN13 9PZ

Scale **1:500**
1:2500
Drawn by **2**
Date **Oct 2013**

Drawing Title **Location and Block Plan**
Drg No. **2238/L/1** Rev

Appeal Decision

Site visit made on 23 April 2015

by Michael Lowe BA(Hons) BTP MPA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 May 2015

Appeal Ref: APP/Y3940/W/14/3000827

Catherine Court Farm, Coppershell, Gastard, Corsham, Wiltshire SN13 9PZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr and Mrs S Tunbridge against the decision of Wiltshire Council.
 - The application Ref 14/07060/FUL, dated 10 July 2014, was refused by notice dated 5 September 2014.
 - The development proposed is change of use from non viable holiday let to residential/dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appeal scheme proposes to use the appeal building as an unrestricted dwelling from its current use as a holiday cottage. This would normally be dealt with under section 73 of the Town and Country Planning Act 1990 (as amended) as there is a condition¹ on the previous permission² which restricts the use of the building to use for holiday accommodation only. However I note that the curtilage arrangements between this original permission and the current scheme have been substantially altered and therefore this cannot be dealt with as a section 73 appeal. I shall therefore proceed with this as a section 78 appeal as originally submitted.
3. During the course of the appeal the Wiltshire Core Strategy January 2015 (CS) has been adopted. As a result of this, saved policies H4, NE15 and C3 of the North Wiltshire Local Plan have been superseded. I have therefore used the up to date policies in my determination of this appeal.

Main Issues

4. These are:
 - (i) whether the proposed residential use would be appropriately located and
 - (ii) the effect of the proposed residential use on the character and appearance of the area.

¹ Condition 5 which restricts the use to holiday accommodation only and limits such stays to no more than 28 days per calendar year by any one person.

² APP/J3910/A/06/2012870 dated 18 July 2006

Reasons

(i) Site Location

5. The appeal site is currently occupied by a rural building that has previously been converted into holiday accommodation. The site also includes two portions of paddock on the western side of the site. The site is located a short walk outside of the small village of Gastard and is a relatively short drive from the larger town of Corsham.
6. Core Policy 2 of the CS states that development will not be permitted outside the limits of development as defined on the policies map. As the site is located outside of Gastard and is essentially located within the countryside, it conflicts with the requirements of this policy and the housing strategy of this recently adopted part of the Development Plan. Core Policy 48 of the CS requires that outside of the defined settlements, proposals for residential development will be supported where these meet the accommodation needs required to enable workers to live at or in the immediate vicinity of their place of work in the interests of agriculture or forestry or other employment essential to the countryside. This argument has not been forwarded by the appellants who are seeking an unrestricted residential use.
7. With regard to the conversion or re-use of rural buildings, Core Policy 48 supports the re-use of rural buildings for employment, tourism, cultural and community uses subject to a range of criteria. In order for residential development to be considered there needs to be clear evidence that these uses are not practical propositions. The appellants have submitted a spreadsheet which details the recent (2013/14) income and expenditure in respect of the existing holiday use. However, it is not supported by any additional evidence such as receipts, invoices and details of any loans or mortgages which could verify the various elements of this expenditure. I therefore find it difficult to completely accept all of the contents of this spreadsheet without further information.
8. In addition, there has been no evidence of marketing that I can see to ascertain whether there would be any interest for selling the property as a holiday use or whether there might be an employment, tourism, cultural or community use that might be viable for the building. This would be a helpful first step in any attempt to demonstrate that these uses would not represent practical propositions for the building. It is apparent that such an exercise has not been undertaken. I therefore conclude that the proposed use would not be appropriately located and would thereby conflict with Core Policies 2 and 48 of the CS. It would also conflict with paragraph 55 of the National Planning Policy Framework which seeks to avoid isolated dwellings in the countryside.

(ii) Character and Appearance

9. The proposed residential use would inevitably be accompanied by much of the paraphernalia that accompanies day to day living. Play equipment, outbuildings and greenhouses for example, are more commonly found within permanent residential uses than within holiday cottages. Although to a degree some of the larger elements of such residential development could be restricted by condition, many aspects could not and therefore this intensification of use would inevitably have a greater impact on the surrounding landscape.

10. Furthermore, the proposed use involves a substantial enlargement of the existing curtilage to include two portions of paddock area. It would be very likely that if this appeal were allowed that future residents would, quite naturally wish to improve the security and privacy around their property through the introduction of taller and more substantial means of enclosure than the agricultural fences that currently separate the parcels of land in this area. This would have a harmful effect on the open character of this existing agricultural landscape.
11. Taken in combination, these factors would combine to have a detrimental impact on the existing openness of the site and the sensitive relationship of the existing holiday cottage with its countryside surroundings. I therefore conclude that the proposed use would have a harmful effect on the character and appearance of the area. It would thereby conflict with Core Policies 51 and 57 of the CS which seek to protect, conserve and enhance landscape character and achieve a high standard of design in all new developments.

Other Matters

12. Although I note that a similar level of financial viability information was provided within an earlier approval for the main dwelling at Catherine Court Farm I have not been provided with full details of this case. In any event I must focus my attention on the appeal before me and I have found significant harm would arise from the appeal development in respect of each of the two main issues.
13. For the above reasons, and having had regard to all matters before me the appeal is dismissed.

Michael Lowe

INSPECTOR