

**REPORT TO THE DEVELOPMENT CONTROL
COMMITTEE**

Report No.

Date of Meeting	23 rd April 2008
Application Number	08/00445/S73A
Site Address	“Garden House”, 46a High Street, Corsham
Proposal	Seperation of annexe type accommodation from dwelling (removal of condition 04 of 04/00124/COU)
Applicant	Mr and Mrs Spikes
Town/Parish Council	Corsham
Grid Ref	387253 170464
Type of applications	Removal of condition of implemented planning permission

Reason for the application being considered by Committee

- This application has been submitted to the Committee for decision under the scheme of delegation in force after the 8th April 2002 because Councillors Reid and Tonge wish for the resulting intensification of use on this site in Corsham town centre to be considered by Members of the DC Committee.

Summary of Report

This application seeks the removal of a condition attached to an earlier planning permission for the creation of annexe type accommodation. Entirely in accordance with the type of permission then sought by the applicants, that condition restricted the occupation of the accommodation to those persons in occupation of the main dwelling to which the new accommodation was to be “annexed”.

This report is prepared to allow Members of DC Committee to consider the proposal in the context of planning policy and guidance. The key points to consider are as follows:

- Implications of Policies C3, H3 and HE4 of the adopted North Wiltshire Local Plan 2011
- Impact upon residential amenity
- Impact upon the Listed Building

Officer Recommendations

Planning Permission be **REFUSED**

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Proposal and Site Description

The application relates to existing living accommodation which is physically linked and annexed to No. 46 High Street, Corsham (“known as “Rowan House”). The proposal is for the creation of a separate unit of residential property from that annexed accommodation. In order to create the new residential unit the application seeks to remove a planning condition that ensures the annexe accommodation is used wholly in conjunction with, and ancillary to, the use of Rowan House as a single dwellinghouse.

Rowan House is a Grade II Listed Building that fronts directly onto the High Street and forms part of a continuous built frontage directly onto the street. The annexe accommodation to which this application relates is situated to the rear of Rowan House and can be accessed internally through Rowan House itself and externally via a cart type opening and courtyard directly onto the High Street (underneath the adjoining No.48a). The entire site is within Corsham Conservation Area

Relevant Planning History		
Application number	Proposal	Decision
04/00123/COU	Change of use of outbuilding to 2 bedroom domestic annexe	Approved 01/03/04
07/01015/S73A	Separation of annexe type accommodation from dwelling (removal of condition 04 of 04/00124/COU)	Refused 20/11/07

Consultations

Parish Council

“Resolved that the application be REFUSED for the following reason; the proposal s contrary to condition 04 of 04/00124/COU.”

Wiltshire County Council Highways

“Following additional information...it has confirmed the position that there is little space on site to accommodate the required parking. With such developments (ie. Two bedroom or above) I would be looking for two parking spaces per new and existing dwellings. In such a location it may be possible to reduce this down to one space for each new dwelling, however, I feel that it is not possible to achieve even this requirement within the site itself. Corsham is not a town (despite the High Street location of the site) where we would be happy to accept car free development.

I would invite the applicant to submit detailed plans showing provision of three parking spaces within the site boundary. However, if this can not be achieved I feel I would no option but to refuse the application...”

Conservation Officer

(in response to previously refused application for similar under 07/01015/S73A) “The proposal will sever the listed building from the remainder of its garden area, and this, together with the intensification of use, will exacerbate the harm to the setting of the listed building already caused by the earlier scheme. I strongly urge you to refuse the application.”

Representations

Two (2) letters of objection received – including one from Corsham Civic Society. Main issues raised:

- The site does not lend itself to the creation of separate dwellings
- Unsuitable access
- Roof height of accommodation is higher than originally approved
- Development does not respect the character of the High Street

Planning Considerations

Background

This application relates directly to an earlier planning permission (04/00123/COU refers). That 2004 permission allowed for the conversion of a large existing out-building to the rear of No.46 High Street, Corsham (“Rowan House”) so that it could be used as domestic accommodation, but directly annexed to the main Rowan House. Historically, the outbuilding was a commercial garage that had ceased to operate and had over time become a visual part of the domestic curtilage to Rowan House.

As such, and because of its very close relationship with Rowan House, under the 2004 permission, ancillary domestic use was considered a reasonable future use for the outbuilding. The 2004 permission therefore allowed the applicant to make use of the out-building, but through a carefully worded condition, at the same time avoided the creation of a separate dwelling in a location and at an intensity that would not be acceptable.

In light of the above and because a conversion to ancillary accommodation was exactly what the applicant applied for, condition 04 to planning permission 04/00123/COU was deliberately worded thus:

04 The development hereby permitted shall be used wholly in conjunction with, and ancillary to, the use of Rowan House as a single dwellinghouse and shall not be used as a separate dwelling.

Reason: There are insufficient space and facilities for the creation of an additional separate dwelling on this site.

Impact

The 2004 approval specifically imposed condition 04 to tie the use of the two elements of accommodation (ie. Rowan House and its annexe) together, since an outright separation in occupation would be detrimental to the setting of the listed building and the wider High Street location.

The creation of a separate dwelling would entail the intensification of use and immediately give rise to the associated physical trappings of two separate residences. The resulting high density and intensity of activity and development would be unacceptable. It would also take place with a very confined area, leaving the original Rowan House with very little curtilage of its own, cumulatively having an adverse affect its setting as a listed building.

The above considerations represent a consistent approach to the question of separation and, as such, the application is simply the reopening of an issue that has previously been considered. The consequences of this proposal merely reflects the reasons why condition 04 was imposed in the first place.

There has been no change in circumstances since the refusal of an identical application in 2007 (07/01015/S73A)

Off street parking

WCC Highways have stated that they do not regard this location as being suitable for car-free development. They would require that one parking space be provided per unit created (ie. one space for the annexe and one space for Rowan House itself). Parking outside the residential properties fronting the High Street is clearly difficult and congested at many times during the day and there is considered to be no reason to diverge from this stated requirement.

However, whilst no car parking plan has been submitted as part of the application, it is evident that the cart opening and courtyard beneath No.48A (which is proposed to entirely serve the separated annexe accommodation), could only realistically accept 2 small cars, at the absolute maximum. There would be no provision whatsoever for Rowan House.

Recommendation:

REFUSE planning permission for the following reasons :

1. Notwithstanding its lawful use as ancillary domestic accommodation, due to its very close proximity to No.46 and associated severance of the curtilage, the use of this building as a separate dwelling would not only represent an unacceptable intensification of activity on the site but would also lead to the certain proliferation of domestic paraphernalia that would harm the setting of the listed building and amenities of occupiers therein. As such, the proposal is considered to be contrary to the provisions of Policies C3 and HE4 of the adopted North Wiltshire Local Plan 2011.
2. In light of the limited parking facilities available on the site, the proposed use of the accommodation presently annexed to "Rowan House" as a separate unit of residential accommodation, is likely to give rise to the on-street parking of additional cars attracted to the premises and thereby interrupt the free flow of traffic to the danger of road users in an area which is already congested with on-street parking.

Informatives

This decision relates to documents/plans submitted with the application, listed below.

Block plan 1145/L/S, Block plan for clarification 1145/B/Z, Proposed Ground Floor Plan 1145/L/8 Rev B, Proposed First Floor Plan 1145/L/8/Rev B, Proposed East & West Elevations 1145/L/9/Rev 0, Proposed South Elevations 1145/L/10/Rev B, Proposed North Elevations 1145/L/11 Rev C – all dated 25/02/08

Appendices: NONE

Background Documents Used in the Preparation of this Report: 1.20; 4.02; 4.04; 5.02