

Date of Meeting	4 th August 2016
Application Number	16/03834/VAR
Site Address	Brail Vista, 163 Crofton Road, Great Bedwyn, Wiltshire SN8 3LX
Proposal	Removal of conditions 2 & 3 of planning permission K/44735 to allow full time independent residential occupation of the holiday let.
Applicant	Mr & Mrs M Rhodes
Parish Council	GREAT BEDWYN
Electoral Division	BURBAGE AND THE BEDWYNS – Councillor Stuart Wheeler
Grid Ref	426956 163104
Type of application	Full Planning
Case Officer	Nick Clark

Reason for the application being considered by the Committee

The application is one of two similar applications for the site that are being reported to the planning committee for consideration at the request of Councillor Wheeler.

1. Purpose of Report

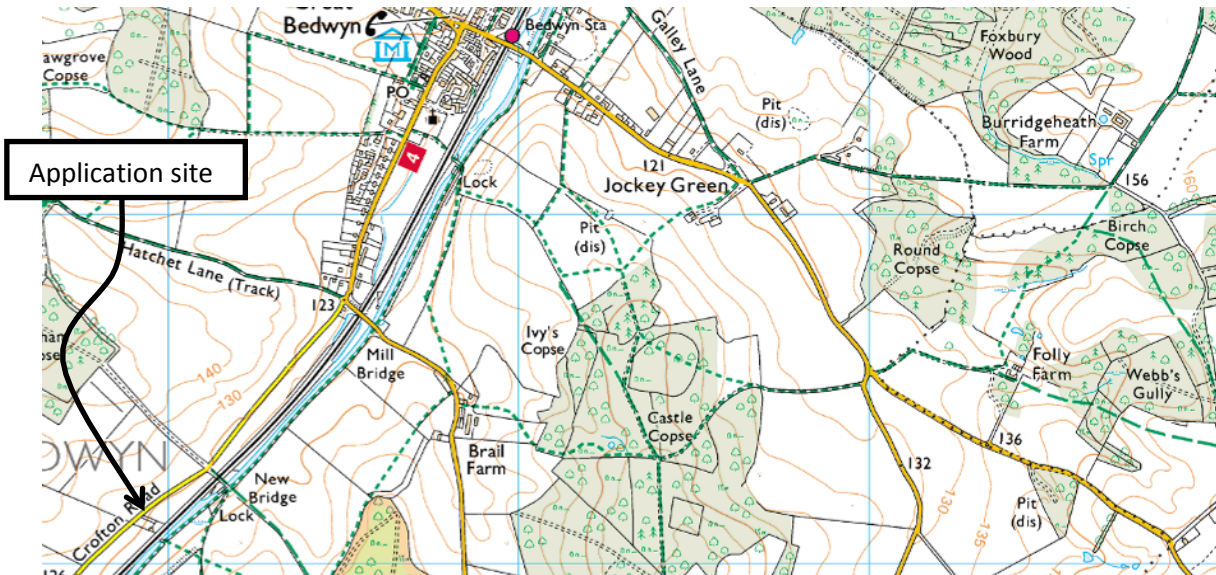
The purpose of the report is to allow the Committee to assess the merits of the proposal against the policies of the development plan and other material considerations, and the recommendation of officers that the application be refused.

2. Report Summary

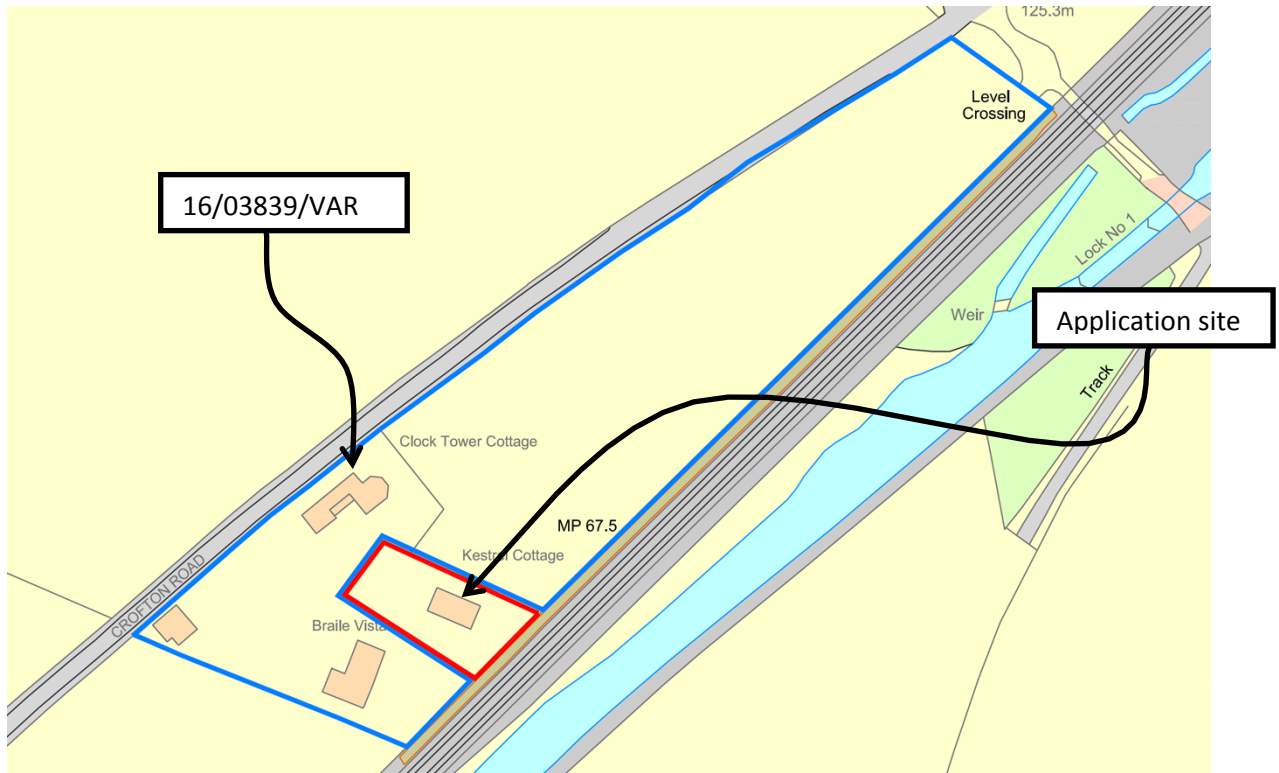
The main issue to be considered is the sustainability of allowing a new dwelling in the countryside and North Wessex Downs AONB when assessed against Wiltshire Council's Spatial Vision as set out in the adopted Core Strategy, and impacts in terms of the character and appearance of the area and the accessibility of local amenities and services for the occupants of the building.

3. Site Description

The building is located within the grounds of the property Brail Vista, 900 metres south west of the Burbage village limits on the unclassified road leading to Crofton.



The main line railway and Kennet & Avon canal lie to the south east. Open countryside lies to the south west, north west and north east.



The site is within the North Wessex Downs AONB.

The former garage (permitted in 1996) is of 1½ storey brick and slate construction and was converted to residential use as holiday accommodation following permission granted in 2003.

Access is via a single driveway that also serves Brail Vista and the other holiday let on the site (subject to application 16/03839/VAR in the following report).

4. Planning History

K/81/0048	Extension to dwelling	Approved
K/32679	The erection of a double garage and log store with games room above. The erection of a porch and a conservatory.	Approved 22/08/1996
K/44735	Change of use of garage & store into Holiday accommodation	Approved 06/02/2003
K/59480/F	Two stables, tack room, hay barn and tractor store	Approved 28/10/2008
E/2012/0670/FUL	Conversion of stables to 2 No holiday let cottages	Approved 09/07/2012
15/11631/VAR	Removal of condition 2 of planning permission K/44735 to allow full time independent residential occupation of 'Kestrel Cottage'	Withdrawn
15/11632/VAR	Removal of condition 2 of planning permission E/2012/0670/FUL to allow for full time rental occupation to allow for full time rental occupation of 'Clock Tower Cottage'	Withdrawn

5. The Proposal

The application concerns a building constructed as a garage to Brail Vista following approval in 1996, with subsequent approval in 2003 for conversion to holiday use.

Condition 2 of the 2003 approval provides that no person is to occupy the accommodation for more than 8 weeks in any calendar year or for more than 4 continuous weeks.

The condition was imposed as "The site lies within an area where permanent accommodation without a special agricultural or other essential local, need would not be approved".

Condition 3 of the 2003 consent also requires that the building is used solely for the use as holiday accommodation or for purposes incidental to the enjoyment of the main house.

The condition was imposed as "The holiday accommodation permitted is sited in a position where the local planning authority, having regard to the reasonable standards of residential amenity, access and planning policies pertaining to the area, would not permit a wholly separate dwelling but in view of the proposed economic use applying in this instance there is no objection to the accommodation being occupied as holiday accommodation or for purposes incidental to the enjoyment of the dwelling house".

The current application now seeks removal of these conditions, effectively thereby creating a permanent independent 2-bedroom dwelling within the countryside and AONB.

6. Local Planning Policy

The development plan so far as is relevant comprises the Wiltshire Core Strategy (2015).

The following policies of the Wiltshire Core Strategy are of particular relevance to the proposal:

CP1	Settlement strategy
CP2	Delivery strategy
CP18	Pewsey Area Strategy
CP41	Sustainable construction and low carbon energy
CP48	Supporting rural life
CP51	Landscape
CP57	Ensuring high quality design and place shaping
CP60	Sustainable transport
CP64	Demand management
CP67	Flood risk

7. Summary of consultation responses

Great Bedwyn Parish Council: Support subject to:

- 1) No additional access to Crofton Road in the future
- 2) No future extensions to the building

Other: Support offered by 4 nearby residents

8. Publicity

The application has been publicised by way of a site notice posted outside the site.

9. Planning Considerations

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.

9.1 The principle of development

The Spatial Vision of the Wiltshire Core Strategy as set out in Core Policy 1 and Core Policy 2 sets a general presumption against any residential development outside the recognised limits of development.

Core Policy 2 is clear that development will not be permitted outside the limits of development, unless supported by other policies within the Core Strategy. This is reiterated in Core Policy 48, the supporting text for which states that residential development will not normally be permitted in the countryside unless it meets the requirements of Core Policy 44 (affordable housing).

Core Policy 39 supports development of tourist accommodation, and it was similar provision in former policies of the Kennet Local Plan that supported the 2003 conversion of the building.

In terms of the conversion of existing buildings, Core Policy 48 provides that residential use should only be considered where there is *clear evidence* that the use for the purpose of holiday accommodation is no longer a practical proposition, or otherwise in line with national planning policy.

Consistency with approval 15/05858/FUL

The applicant highlights approval under delegated powers of application 15/05858/FUL. That application related to a 'barn' approved in 2008 providing 2 holiday units and office space. The application retrospectively sought the use of the holiday units as independent dwellings and a change of use of part of the office space for A2 purposes (Financial and professional services). Approval was granted as the residential accommodation was specifically supported by Burbage Parish Council, which considered that the village had 'much need' for small rented accommodation such as the 1-bedroomed units in that instance.

The current proposal involves larger 2-bedroomed units, and whilst Great Bedwyn Parish Council offers qualified support for the current proposal, no need for the accommodation being proposed has been identified.

The Council's Housing Register shows that in the Great Bedwyn area, the housing need is predominantly for 1-bedroom homes, with the need for 5 x 1 bedroom homes in Great Bedwyn, and 9 x 1 bedroom homes in Great Bedwyn and surrounding parishes being registered. There is also a need registered for 1 x 2-bedroom home of social housing, but there is nothing to suggest that the proposed housing would meet this need as it would instead be rented on the open market.

It is also the case that since the Burbage approval, the Council has published a revised Housing Land Supply statement that demonstrates a strong 8½ years supply of deliverable housing land within the East Wiltshire Housing Market Area. The application site in Burbage was also significantly closer to the settlement boundary (120m rather than c. 900m) and along a no-through-road that is more pedestrian-friendly than the through route of the Crofton Road that serves the current site, which does not have any street lighting or pedestrian footway.

The circumstances of the Burbage approval thus differ significantly in a number of respects from the applications at Brail Vista such that the 2015 decision does not set a precedent. As with all applications, the current proposals need to be considered on their own merits with regard to all the circumstances.

9.2 Continued use of the building as a holiday let

In addressing the practicality of continued holiday use, the application suggests increasing difficulties in the owners being able to service the holiday units themselves, and a difficulty in employing staff, the cost of which, with advertising costs, also impacts on the viability of the holiday let business.

The application includes a viability appraisal for the holiday let business (which also includes Clock Tower Cottage considered in the following report). The appraisal has been provided on a confidential basis and the details thus cannot be reported. The appraisal shows profits reducing between 2013 and 2015 to a low level.

The business nonetheless remains profitable and whilst the profit in 2015 is relatively low, it takes into account an allowance towards the recent capital cost of converting Clock Tower Cottage, as well as significant advertising costs in 2015 which were eleven times higher than paid in previous years, and appear disproportionate and atypical.

Whilst appreciating that the current owners may have difficulty servicing the holiday accommodation, this is essentially a short-term personal difficulty that need not apply to future management of the site. Equally it would not apply if the building were to be returned to its former use as a garage/ outbuilding or if it were to serve as an annexe to Brail Vista.

The application also reports diminishing holiday occupancy due to increased competition and suggests an undesirability of the accommodation due to the proximity of the railway line and the impacts of noise. Clock Tower cottage has only been operational as holiday accommodation for 1 year however and there are thus no figures available in the trend of its occupation. Figures for 2015 however show 68% year-round occupancy.

In 2015 the Council received 32 enquiries/ applications in respect of proposals totalling 70+ holiday units within AONBs, suggesting a high demand for, and profitability in providing, holiday accommodation in the area. This inevitably leads to increased competition but as noted above, the business at present remains profitable.

No acoustic assessment has been submitted in support of the suggested undesirability of the application site for holiday purposes due to the proximity to the railway, although any such impact would of course impact also on permanent residential use of the building.

It is thus concluded that there is thus no *clear evidence* as required by Core Policy 48 that continued use of the building as a holiday let is not a practical proposition.

It is further noted from the submitted viability report that use of the buildings for commercial purposes (as preferred by Core Policy 48 over use as a dwelling) would be significantly more profitable than the holiday use. The report identifies that office or studio uses would necessitate only minimal conversion works.

9.3 Suitability of the location/ premises for independent residential use

Location

Core Policy 60 provides that the Council will use its planning powers to help reduce the need to travel particularly by private car, and support and encourage the sustainable, safe and efficient movement of people within Wiltshire. A key element of the policy is to ensure that development is sited in accessible locations.

As noted above, the site is located 900m from the settlement boundary of Great Bedwyn. Services and amenities within the village are further, for example 1.6km to the closest village shop and 2.3km to the primary school. Crofton Road does not have any pedestrian provision or streetlighting, and as such it is likely that occupants of the building would be largely reliant on the use of private cars for all day-to-day transport needs. As such the establishment of an

additional household on the site would be contrary to the principles and aims of sustainable development and Core Policy 60.

Impact on the character and appearance of the area

The holiday use of the building gives rise to limited need for the outdoor accoutrements such as a washing line, play equipment, garden outbuildings etc that is likely to be associated with a permanent residential use. Whilst the site is locally relatively well-screened from views, it is evident within the countryside and landscape of the AONB from public rights of way on rising ground south of the canal. It is also clearly visible by users of the railway.

The visual impact associated with independent residential use is a matter supported on appeal by the government's Planning Inspectorate – for example in a recent appeal decision concerning conversion of a residential outbuilding to a dwelling (11/12/2015 - APP/Y3940/W/15/3030962). The site was outside the AONB and was 'relatively well-screened in public views'. The Inspector nonetheless held that 'hard surfaces, parked vehicles and other domestic paraphernalia within the site's curtilage would have a diminishing effect on the setting of the building to the detriment of the area's character and appearance' and the appeal was dismissed on this basis.

The same principle applies equally but more-so within the AONB and it can only be concluded that the unfettered residential use of the site, and resulting likelihood of outdoor paraphernalia (particularly when considered cumulatively with the similar proposal for Clock Tower Cottage) would have a detrimental impact on the rural character and landscape of the AONB, contrary to Core Policies 51 & 57 which seek to protect the landscape quality and character of Wiltshire.

Amenities

In terms of the building itself, the application does not include floor plans, but internal inspection shows the property to provide a suitable level of internal accommodation for the 2-bedroom capacity. There is a small south-facing private garden area to the rear which would provide an adequate level of outdoor amenity space.

Access and parking

The access and parking arrangements are considered acceptable for the proposed use.

10. Conclusion (The Planning Balance)

Whilst the removal of the conditions to allow permanent and independent residential occupation would contribute toward the availability of dwellings in the area, there is no evidence of need to support the proposal. The principle of the proposal outside the defined limits of development is contrary to the Vision of the Wiltshire Core Strategy and the Strategy for the Pewsey Community Area as set out in Core Policies 1, 2 & 18. Whilst the Core Strategy is accepting of the residential re-use of buildings in certain circumstances, the application does not provide the required 'clear evidence' of the impracticality of continued use as a holiday let. Furthermore the occupants would have high levels of car dependence, thereby increasing unsustainable patterns of travel within Wiltshire contrary to Core Policy 60. Furthermore, the visual impact arising from pressure for outbuildings, washing lines, play equipment etc would be detrimental to the rural and landscape character of the area, contrary to Core Policies 51 & 57.

RECOMMENDATION

That the application be refused for the following reasons:

- 1) The site is located in open countryside outside of the limits of development defined for Great Bedwyn in the Wiltshire Core Strategy (adopted January 2015). The proposal would therefore conflict with Core Policies 1, 2 and 18 of the Wiltshire Core Strategy (adopted January 2015) which seeks to ensure that housing developments occupy sustainable locations throughout Wiltshire including the Pewsey Community Area.

Furthermore, the proposal would conflict with the criteria set out in Core Policies 48, 51, 57 and 60 of the Wiltshire Core Strategy and with paragraph 55 and of the NPPF for the following reasons:

- the application does not include any 'clear evidence' of the impracticality of continued use as a holiday let,
- local services and facilities could not be easily accessed other than by use of unsustainable modes and patterns of travel,
- the permanent independent residential use would result in pressure for outbuildings, washing lines, play equipment etc that would be detrimental to the rural and landscape character and appearance of the area.