

REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	16 October 2013		
Application Number	13/01891/FUL		
Site Address	Honeywell Farm, Silver Street Lane, Brokerswood, Westbury, Wiltshire, BA13 4EY		
Proposal	Establish a holiday let within the residential curtilage of existing property. Demolition of existing garage and outbuildings.		
Applicant	Mrs Celia Norris		
Town/Parish Council	NORTH BRADLEY		
Electoral Division	Southwick	Unitary Member	Cllr Horace Prickett
Grid Ref	383562 152411		
Type of application	Full Planning		
Case Officer	Matthew Perks		

Reason for the application being considered by Committee

Councillor Horace Prickett has requested that this item be determined by Committee in the event that refusal is recommended and after having considered:

- * Visual impact upon the surrounding area
- * Relationship to adjoining properties; and
- * Environmental/highway impact

and concluding that the matter should be the subject of Committee debate.

1. Purpose of Report

To consider the above application and to recommend that planning permission be refused.

Advertising Responses - one neighbour objection was received.

North Bradley Parish Council – No objections, support.

2. Report Summary

The key issue in this case is whether or not the proposals are in accordance with current and emerging Development Plan policies on countryside protection and on the provision of tourist accommodation in areas outside of any town or village policy limits.

3. Site Description

The application site is at Honeywell Farm, off of Silverstreet Lane in Brokerswood. The site is outside of any town or village policy limits and is accessed off of the lane which is fairly restricted in width. Notwithstanding the site description in the application form to the effect that the proposed building would be within the “residential curtilage” of the existing dwelling it is considered that it would in fact be agricultural/paddock land separate from the domestic curtilage. Planning history tends to confirm this,

where planning applications for extensions to the dwelling are confined to a curtilage area with of an established boundary to the field area.

4. Planning History

75/00169/HIS : Bungalow and Garage : Refused

5. The Proposal

The proposed is for a new single storey building of some 135m² in footprint. Two single bedroom holiday lets would be provided. The building, to all intents and purposes, has the external appearance of a residential bungalow, built of stone walls with some shiplap timber and with a clay tiled roof. It would be 19 metres in length, 6.3 metres in height and 5.5 metres in width, with a projecting wing. The supporting document states that the units would “not be run as a business concern in the truest sense” although the intention is to provide the applicant with a retirement income. The function is clearly therefore to rent out the units for holiday accommodation purposes.

The demolition of an existing on-curtilage garage/ancillary office to the dwelling is proposed as part of the scheme.

6. Planning Policy

West Wiltshire District Plan 1st Alteration 2004

C1 Countryside protection; C31a Design; C38
Nuisance; E8
Rural Conversions
TO3

Hotels, Guest Houses and Self Catering Accommodation

Emerging Wiltshire Core Strategy

National Planning Policy Framework

7. Consultations

North Bradley Parish Council – No objection, support.

Wiltshire Council Highways:

The officer notes that the site is located outside of the Housing Policy Boundary. “The proposal is therefore contrary to the sustainability policies contained within the National Planning Policy Framework and the emerging Core Strategy for Wiltshire, which aims to reduce the need to travel, especially by private car.” The officer recommends refusal on those grounds, but advises that, if permission is granted a condition should be imposed to restrict the use of buildings for holiday lets only, with a maximum period of occupation during the year and that the site frontage is clear of vegetation from the carriageway edge to the boundary of the dwelling.

8. Publicity

The application was advertised by site notice and neighbour notification. Overall expiry date: 22 August 2013.

One objection was received on the grounds of the impact of the proposed access on the objectors property access (directly opposite), the commercialisation of the area; no indication of sewage and waste disposal, impact on trees/hedges not clarified, excess parking and the creation of two new habitable rooms on the site.

9. Planning Considerations

9.1 Principle of Development

Policy C1 of the West Wiltshire District Plan, 2004 states that: "In order to maintain the quality and variety of the countryside, the water environment, the rural landscape and wildlife, will be protected, conserved and enhanced through the control of development and positive planning."

Policy TO3 of the WWDP, 2004 (Hotels, Guest Houses and Self Catering accommodation) generally supports proposals for new hotel, guest house or other serviced and self catering accommodation for visitors within towns and established villages but, outside of these areas, limits new visitor accommodation to the conversion of existing buildings in accordance with the requirements of Policy E8 which, in turn, has criteria aimed at protecting the character and appearance of converted buildings, highway safety and protection of the natural environment.

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

In essence, the applicant is seeking permission for a building that has the external appearance of a new bungalow in the countryside. This could set an undesirable precedent for future such developments in the gardens of other nearby properties and other isolated dwellings in the countryside that would completely change the appearance of the landscape.

The WWDP tourism policy is reflected in the emerging Core Strategy in Core Policy 39, which also carries through the concept of restricting new facilities in the open countryside to the conversion of existing buildings and states that "(i)f new buildings are required in the countryside for tourist development these should be directed towards the Local Service Centres and Large and Small Villages."

The highway officer recommendation for refusal is also considered reasonable. Tourist accommodation that involves the conversion of buildings already present in the interests of diversification of the rural economy accords with policy can be balanced positively against the question of sustainability in rural locations. The creation of new buildings without justification constitutes wholly new development that raises sustainability considerations. The proposal should also therefore be refused for this reason.

The proposal would not accord with current or emerging policies and should therefore be refused.

The neighbour comments are noted, but it is not anticipated that a limited provision of accommodation a proposed would give rise to unacceptable nuisance from increased traffic or activity on the site. Issues of drainage and landscaping could have been addressed by way of conditions. Refusal for the reasons raised by the objector are therefore not considered reasonable.

10. Conclusion

The proposed holiday accommodation development is for a wholly new building of residential appearance outside of any town or village policy limits on open countryside land, contrary to Policy guidance. No exceptional circumstances have been presented that indicate there are other material considerations that apply to justify a departure from the policy criteria. The proposal is therefore recommended for refusal.

RECOMMENDATION

Recommendation: **Refusal**

For the following reason(s):

- 1 The proposed creation of a new building for holiday accommodation would result in unwarranted development encroaching into and harmful to the character and appearance of the open countryside. No exceptional circumstances have been presented which would outweigh the harm

associated with the development. The proposals are therefore contrary to policies C1 and TO3 of the West Wiltshire District Plan 1st Alteration (2004) and the emerging Wiltshire Core Strategy and would set an undesirable precedent for future similar development in the countryside that cumulatively would have a significant adverse impact on the character and appearance of the landscape.

- 2 The proposal, located outside of village policy limits, is contrary to the National Planning Policy Framework (Section 4 paras 29, 30 & 37) and the emerging Core Strategy for Wiltshire (Policy 60), which seek to reduce the need to travel, influence the rate of traffic growth and reduce the environmental impact of traffic overall in support of sustainable development.