

REPORT OUTLINE FOR AREA PLANNING COMMITTEES**Report No.**

Date of Meeting	30 March 2016
Application Number	16/01121/FUL
Site Address	Chuffs Lower Kingsdown Road Kingsdown Wiltshire SN13 8AZ
Proposal	Extension & Alterations to the Annexe
Applicant	Mr & Mrs Antrobus
Town/Parish Council	BOX
Electoral Division	BOX AND COLERNE – Cllr. Shelia Parker
Grid Ref	381377 168021
Type of application	Full Planning
Case Officer	Victoria Davis

Reason for the application being considered by Committee

The application has been called into committee by the Local Member, in order to consider the health circumstances of the applicant and how these are related to the proposal.

1. Purpose of Report

To consider the above application and to recommend that planning permission is REFUSED.

2. Main Issues

The main issues are:

- Principle of development
- Impact on the Green Belt
- Impact on the character and appearance of the surrounding area of outstanding natural beauty

The Parish Council has acknowledged that the proposal exceeds limits of acceptable development within the green belt and reiterated the importance of the existing legal agreement preventing the annexe being let or sold separately. One letter of support was received following the neighbour consultation. No objections have been received.

3. Site Description

Chuffs is one of a small group of properties situated along a quiet road near to the top of Kingsdown Hill. The curtilage consists of a narrow strip extending to the side of the main house. To the eastern side of this strip is an annexe. The annexe building was originally built as a garden store in 1989 and then extended and converted into ancillary accommodation under a permission granted in 2003. A legal agreement connected to this permission requires that the annexe remains within the same planning unit as the main house and is not leased or sold separately. The annexe sits approximately 2m lower than the road and properties behind. The site is located in the Western Wiltshire Green Belt and within an area of outstanding natural beauty. The site is not located within the boundary of any defined settlement and so in terms of planning policy the site is located in open countryside.

4. Relevant Planning History

6400 (1968)	Extension to house and erection of double garage - approved
N/89/00868/FUL	Erection of garden shed/implement store - approved
N/91/01348/FUL	Alterations and extensions to garage - approved
N/03/00023/FUL	Conversion and extension of existing domestic outbuilding to self contained annexe - approved
N/10/01798/S106	Application to modify the requirements of legal agreement relating to planning permission 03/00023 to allow occupation as a separate dwelling INVALID – application not pursued
N/15/06526/PREAPP	Extension to annexe – proposal not supported
N/15/12291/PREAPP	Extension to annexe – proposal not supported

5. The Proposal

The application proposes an extension to the existing annexe building replacing the earlier conservatory extension. The annexe currently comprises of one bedroom, living room, conservatory, separate kitchen and bathroom. The extension is intended to provide additional living accommodation in the form of an enlarged living/dining and kitchen area along with a second bedroom.

6. Planning Policy

Wiltshire Core Strategy: Adopted January 2015

CP1 Settlement Strategy

CP51 Landscape

CP57 Ensuring High Quality Design and Place Shaping

National Planning Policy Framework (NPPF):

Achieving sustainable development – Core Planning Principles, Paragraphs 14 & 17

Chapter 7 Requiring Good Design

7. Consultations

Box Parish Council: Commented that the proposal would exceed acceptable increase in volume for extensions within the greenbelt. Added that should permission be granted, the details of existing S106 agreement should still be valid.

Highways: No Objection subject to conditions

8. Publicity

The application was advertised by site notice and neighbour consultation. One letter of support was received.

9. Planning Considerations

Principle of Development

Greenbelt policy is set out in the NPPF. This explains that apart from within specific exceptional situations, the construction of new buildings within the greenbelt is inappropriate. Such development is harmful by definition and should not be approved unless very special circumstances exist. One exception involves extension and alteration of a building provided that it would not result in disproportionate addition over and above the size of the 'original building'. Annex 2 of the NPPF defines the original building as the building as it existed on 1st July 1948 or if built after, as it was originally built. The purpose of this definition is to prevent the cumulative increase to the size of buildings over time materially harming the openness of the greenbelt. All extensions and outbuildings constructed within the curtilage after this date, authorised or unauthorised, will be included when considering the cumulative impact to the openness of the greenbelt.

In this case the original building on this site is the main house, Chuffs. The planning history available shows that this was originally a modest two-up two-down cottage (approx 160m³ total volume). Permission was granted in 1968 for substantial two storey additions to the house and the construction of a detached double garage which resulted in an additional 178m³. A separate outbuilding was approved in 1989 resulting in a further 128m³ (according to the approved plans) and further alterations to the garage roof and main house resulted in an additional 70m³. In 2003 permission was granted to convert and extend the garden store to create ancillary accommodation. Based on the volume of the annexe as it exists now - this has resulted in a further 84m³. The series of development is set out below -

Extensions to main house and Garage (1968)	= 178m ³
Erection of outbuilding (1989 as in approved plan)	= 128m ³
Alterations to garage (1991 from client)	= 35m ³
Conservatory to main house (from client)	= 35m ³
Extensions/alterations to annexe (based on survey dwg.)	= 84m ³

The current application proposes to replace the annexe conservatory with a larger extension. As a result the total additional volume over the original building (the main house, Chuffs) would be approximately 490m³. The original house according to the 1968 plans is 160m³

and so the cumulative volume of all previous additions is already over 300% of the original volume. It is considered that this scale of extension at the site is now beyond the limits of what could be considered acceptable and proportionate and so any further extensions on this site would equate to disproportionate additions and therefore inappropriate development within the greenbelt which is harmful by definition.

This assessment does not consider the annexe as an 'original building' in its own right, however should the volumes be compared for information they are below.

The original outbuilding as constructed in 1989 was 128m³.

Extensions to outbuilding (to current size) = 84m³

Total volume increase so far is already 66%. This is still over and above what is considered to be proportionate within the green belt. Replacing the conservatory with the larger extension as proposed creates a volume increase of approx. 90%.

It has been suggested by the applicant that that, historically, an outbuilding had existed in the same location as the current annexe building. This point was investigated and no evidence of a historic structure in this location could be found within the historic OS maps or within the 1968 or 1989 planning application drawings. Without additional supporting evidence, little weight can be given to this point.

It is noted that the annexe as exists now (indicated by survey drawing) is in fact larger than the building that was permitted in 2003. All additional volume, authorised and unauthorised must be considered when compiling the cumulative volume figures. It is also noted that volume analysis submitted within the supporting letter, from Planning Sphere, is incorrect. This issue was raised with the agent who has since acknowledged that at the time of writing they were not aware of the full planning history of the site. The agent has accepted that the volume increase proposed is disproportionate and has requested that the proposal be considered in light of the personal circumstances relating to the applicants health.

According to the NPPF, substantial weight should be given to harm within the green belt when considering planning applications. The applicant submits that the reason for further extending the existing one bed-roomed annexe is to allow for herself and her husband to move into the annexe permanently and for their son and his family to move into the main house. The planning statement explains that the applicant suffers with incurable spinal cancer and that over time this will lead to worsening mobility issues. The extension as proposed is to provide additional accommodation and space needed to allow for the couple to comfortably occupy the annexe into the future and for their family to remain close by in the main house.

The health condition of the applicant is relevant to the proposal and so is a material consideration that should be given some weight. However, paragraph 88 of the NPPF sets out that 'very special circumstances' will not exist unless the harm caused by inappropriate development is clearly outweighed by other considerations. In this case, the council does fully sympathise with the personal circumstances of the applicant and acknowledges the reasons for wanting to enlarge the annexe for their permanent occupation and to allow their son and family to move into the main house, however this does not outweigh the more general planning considerations. Unfortunately, the personal circumstances cannot be given significant weight as it is considered that the applicant's needs could be met by other means. It also noted that these personal circumstances could be identified on many occasions leading to significant levels of inappropriate development in the green belt. The proposal is therefore considered to be contrary to the aims and objectives of the NPPF.

The proposal has been subject to two separate pre-application discussions. In both responses the applicant was advised that the officer could see no justification in planning terms for further extending the annexe. It was acknowledged that the most recent proposal did represent a design quality improvement over the u-pvc conservatory and it was explained that there would be a case for replacing the conservatory with a more solidly constructed extension providing it was not materially larger than the current structure.

Scale and Design

In accordance with Core Policy 57 and Chapter 7 of the NPPF development should respond positively to the existing site features which include building layout, built form, mass and scale. High quality design should be achieved for all development. It is considered that in general the design approach and use of materials is appropriate in relation to the host building and surrounding area.

Impact on surrounding area of outstanding natural beauty

Core Policy 51 and Chapter 11 of the NPPF require that development protects, conserves or where possible, enhances valued landscapes. The site is located within an area of outstanding natural beauty where the impact of development on the wider landscape is an important consideration. In this case the sensitive design and use of high quality materials is considered to be appropriate and would not harm the surrounding landscape character.

Impact on the amenity and living conditions of local residents

Due to the position of the extension it is not considered that the proposal is likely to have any significant impact on residential amenity by way of overlooking, overshadowing or overbearing appearance.

Impact on highway safety

The site is accessed from the road via a steep driveway which leads to the garage of Chuffs and a separate driveway splits off and leads to the annexe. The current access and parking arrangements would remain unchanged. The proposal would result in an additional bedroom however the highways department are satisfied that the existing parking arrangements would be sufficient.

10. Conclusion

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 states that "determination must be made in accordance with the plan unless material considerations indicate otherwise". Paras 2 & 11 of the NPPF reiterate and confirm this requirement. This is the starting point for determination from a policy point of view. The Wiltshire Core Strategy Adopted January 2015 forms the local component of the current development plan.

It is considered that the scale of extensions on this site is now beyond the limits of what could be considered acceptable and proportionate. Any further extensions on this site would equate to disproportionate additions and therefore inappropriate development within the greenbelt which is harmful by definition. In accordance with Chapter 9 of the NPPF, substantial weight is given to this harm and development in these cases should not be approved unless very special circumstances exist. The benefits of this proposal in meeting the applicant's accommodation needs are not sufficient to clearly outweigh the harm to the Green Belt and so the very special circumstances needed to justify the development do not exist.

11. Recommendation

Planning Permission is REFUSED for the following reason:

The application site lies within the Green Belt where strict policies of restraint apply. The cumulative volume of all previous extensions to the main house, garage and annexe building on this site is substantial and so it is considered that any further extension to any building on this site would be disproportionate to the original building. The development therefore; is inappropriate, diminishes the openness of the green belt, and conflicts with the purpose of including land within the greenbelt. There are no very special circumstances in planning terms that are sufficient to outweigh this harm. The application is contrary to the aims and objectives of the National Planning Policy Framework 2012, paragraphs 14 & 17 Chapter 9 in particular paragraphs 88 & 89 and is not justified by any other material considerations.