

APPLICATION NO.	P16/V1101/FUL
APPLICATION TYPE	FULL APPLICATION
REGISTERED	3.5.2016
PARISH	BOURTON
WARD MEMBER(S)	Simon Howell Elaine Ware
APPLICANT	Mr & Mrs D Sanderson
SITE	Horseshoe Cottage, Bourton, Swindon, SN6 8HZ
PROPOSAL	Change of use and alteration to form holiday accommodation. (Amended by drawing Site location plan, received 24 August 2016; red line position altered).
AMENDMENTS	24.8.2016
GRID REFERENCE	423217/187006
OFFICER	Katie Cook

SUMMARY

The application is referred to committee at the discretion of the development manager in light of the sensitivity of the proposal.

The proposal is to increase the height of the existing outbuilding, alter its fenestration, and change its use from storage / workshop to a holiday let.

The main issues are:

- Principle of development, which is considered acceptable.
- The impact on the visual amenity of the area, including on the character and appearance of the conservation area, which is considered acceptable.
- The impact on the amenities of neighbouring properties, which are considered acceptable.
- Whether there is adequate access to and parking within the site, which it is considered there is.

The recommendation is for approval.

1.0 INTRODUCTION

- 1.1 The site is located towards the centre of Bourton. Residential properties are located to the south-east and north-west / west of the site, with vehicular access obtained from the south-west. To the rear of the site is an electricity sub-station and residents parking spaces for the bungalows in The Grove. The site is located within Bourton Conservation Area. A copy of the site plan is **attached** at appendix 1.
- 1.2 Further to the submission of the application the red line position has been revised to only encompass the outbuilding, the parking area in front of it and the access drive, with the existing property and the garden outlined in blue. The alteration has been undertaken because whilst the property and garden are within the ownership of the applicant they do not form part of the application. Re-consultations have been undertaken in relation to the revised red line position.

1.3 The application comes to committee at the discretion of the development manager in light of the sensitivity of the proposal.

2.0 **PROPOSAL**

2.1 This application seeks planning permission to increase the height of the existing outbuilding, which is located to the rear of Horseshoe Cottage and backs onto the electricity sub-station and residents parking area to the north-east, and alter the fenestration of the building. Permission is also sought to change the use of the building from storage / workshop to a holiday let.

2.2 The overall form of the existing building, which consists of a rounded roof and a single storey pitched roof projection on the side (south-east) elevation, will not be altered as part of the proposal. The eaves heights of the main building will be increased from approximately 3 metres to 3.6 metres at the front (south-west) and 4.2 metres at the back (north-east), with the highest part of the building increasing from approximately 4.1 metres to 4.95 metres. The eaves height of the single storey projection will increase from approximately 1.5 metres to 2.1 metres, with the ridge height increasing from approximately 1.95 metres to 3.15 metres. A copy of the application plans is **attached** at appendix 2.

3.0 **SUMMARY OF CONSULTATIONS & REPRESENTATIONS**

3.1 Below is a summary of the comments received in relation to the proposal. A full copy of all the comments received can be viewed online at www.whitehorsedc.gov.uk.

3.2	First consultation	
	Bourton Parish Council	<p>Objects. Their objections may be summarised as follows:</p> <ul style="list-style-type: none"> • Parking in the centre of the village is an on-going issue. • Any development that adds to the parking issues in this location is very unwelcome. • The increase in height of the building and the inclusion of glazing will cause overlooking of neighbouring properties and a loss of privacy. • This is a quiet location, within close proximity to existing properties; the extra noise from a holiday let could be such that it would not enhance the local area. • Over-development of the area. • Emergency access to the almshouses could be blocked by parked cars. • Right of access for neighbours along the drive could be compromised. • If it turns out the holiday let is not commercially viable there would be nothing preventing the barn becoming a full-time rental business, possibly leading to a planning application requesting that the building be made a permanent residence.
	Neighbours - object	<p>Five letters of objection. Following points made;</p> <ul style="list-style-type: none"> • Proposal will result in overcrowding of the plot. • Whilst initially for a holiday let, in a large number of such applications owners eventually seek longer-term tenants.

	<ul style="list-style-type: none"> • Raising the roof will have a negative impact on the roof of the adjoining building. • Concern about proposed chimney; outpouring of smoke and position against neighbouring outbuilding wall. • Glazed front would cause loss of privacy. • There is insufficient space to turn the car round as stated. • The village does not need more cars parked on the road. • What is the point of having a conservation area if it can be disregarded? • Would more foul/waste in semi-open sewers be acceptable? • Question the need for a holiday let. • How will people escape from the building? • The creation of a holiday let is a potential security risk. • The application can be seen as a back door route for creating more properties for sale. • The building is the last remaining historic building in the village. Changing the building would deprive Bourton of part of its history. • The development will create noise to the detriment of residents. • Many houses already have chimneys. Another to add to the environment is not helpful. • There has traditionally been a right of way to the rear of the Almshouses, with emergency exits opening onto the drive. Concern that these will be blocked during construction work and subsequently during occupation. • Loss of light to neighbouring properties.
Councillor Howell and Councillor Ware	Ward Councillors for the area support the objections of the neighbours and parish council.
County Archaeologist	No objection.
Highway Officer OCC	<p>No objection subject to conditions. Following points made;</p> <ul style="list-style-type: none"> • The extant building will have some vehicular movements associated with previous uses. The proposal is likely to be similar but outside peak traffic periods. • The car parking provision and turning space are acceptable. • Note local concern about parking provision being short, the turning space constrained and existing on-street parking pressure. However, I am unable to substantiate 'severe harm' as required by the NPPF to warrant a recommendation for refusal. <p>Conditions requested;</p>

	<ul style="list-style-type: none"> • Car parking and turning as approved plan. • Development SUDS compliant drained.
Waste Team	Waste to be collected by commercial waste contractor
Countryside Officer	<p>No objection subject to the addition of an informative relating to bats. Following points made;</p> <ul style="list-style-type: none"> • It is probable that there is a local bat population. • The existing structure is mostly unsuitable for bat habitation due to the materials and presence of large windows making the interior space light. • There do not appear to be any opportunities for roosting bats, however, their presence cannot be completely discounted.

3.3

Second consultation	
Neighbours	Two letters of objection have been received re-iterating previous objections
County Archaeologist	No objection.
Countryside Officer	No further ecological comments

4.0 **RELEVANT PLANNING HISTORY**

4.1 [P85/V2302](#) - Approved (02/08/1985)

Extension at first floor level to provide bedroom together with internal alterations.

4.2 Pre-application History

[P16/V0574/PEO](#) - Other Outcome (31/03/2016)

Change of use and alterations to agricultural store to create a holiday let.

5.0 **POLICY & GUIDANCE**

5.1 **Vale of White Horse District Council Local Plan 2011**

The development plan for this area comprises the adopted Vale of White Horse local plan 2011. The following local plan policies relevant to this application were 'saved' by direction on 1 July 2009.

Policy No.	Policy Title
DC1	Design
DC5	Access
DC9	The Impact of Development on Neighbouring Uses
HE1	Preservation and Enhancement: Implications for Development
T1	New tourist related development

5.2 **Emerging Local Plan 2031 – Part 1**

The draft Local Plan Part 1 is not currently adopted policy and this emerging policy and its supporting text has limited weight as per paragraph 216 of the NPPF. Greater regard therefore is to be given to the NPPF in line with paragraph 14 and where relevant, the saved policies (listed above) within the existing Local Plan.

Policy No.	Policy Title
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Core Policy 31	Development to support the visitor economy
Core Policy 37	Design and local distinctiveness
Core Policy 39	The historic environment

5.3 **Supplementary Planning Guidance**

- Design Guide – March 2015
The following sections of the Design Guide are particularly relevant to this application:-
 - *Form and massing (DG52)*
 - *Roofscape (DG57)*
 - *Chimneys (DG58)*
 - *Privacy (DG64)*

5.4 **National Planning Policy Framework (NPPF) – March 2012.**

5.5 **Planning Practice Guidance 2014.**

5.6 **Neighbourhood Plan**

Bourton has not submitted a neighbourhood plan.

5.7 **Human Rights Act**

The provisions of the Human Rights Act 1998 have been taken into account in the processing of the application and the preparation of this report.

5.8 **Equalities**

In determining this planning application the Council has regard to its equalities obligations including its obligations under section 149 of the Equality Act 2010.

6.0 **PLANNING CONSIDERATIONS**

6.1 The main issues in the determination of this application are

- Principle of development.
- Impact on visual amenity and whether the proposal preserves or enhances the character and appearance of the conservation area.
- Impact neighbour amenity.
- Access and parking.

6.2 **Principle**

Policy T1 of the local plan supports new tourist related developments which are in keeping with the character and scale of the area. New tourist accommodation is supported within the built-up areas of settlements and where it involves the re-use of suitable existing buildings outside of these areas.

6.3 The building is located within the built-up area of Bourton, and therefore, in accordance with policy T1, the principle of utilising the building as holiday accommodation is acceptable. In view of the inter-relationship between the building and Horseshoe Cottage it is considered reasonable and necessary to condition that the building only be used as holiday accommodation. With this condition in place any proposal to use the building for a permanent residence will require planning permission.

6.4 **Impact on visual amenity and character and appearance of the conservation area**

Policy DC1 of the local plan refers to the design of new development, and seeks to ensure that development is of a high quality design that takes into account local distinctiveness and character.

- 6.5 Policy HE1 of the local plan refers to development within or affecting the setting of conservation areas, outlining that such development will be permitted where it preserves or enhances the character and appearance of the area.
- 6.6 The proposal, whilst increasing the eaves and ridge heights of the structure, maintains the form of the existing building with a rounded roof and a single storey side projection. Given this officers consider the increase in height of the building and alterations to the fenestration will not appear out of place within the street scene and will not harm the visual amenity of the area.
- 6.7 Members will be aware that the position of the site within Bourton Conservation Area does not prevent development. However, any development needs to at least preserve the character and appearance of the conservation area. To that end as the overall form of the building is being maintained, the character and appearance of the conservation area will not be compromised. Any harm which may be caused by changing the height or altering the fenestration of the building can be mitigated by ensuring the materials used are appropriate, thereby preserving the character and appearance of the conservation area.
- 6.8 **Impact on neighbour amenity**
Policy DC9 of the local plan states that development will not be permitted if it would unacceptably harm the amenities of neighbouring properties and the wider environment in terms of loss of privacy, daylight or sunlight, dominance or visual intrusion, noise or vibration, smell, dust or other emissions.
- 6.9 Given the position and orientation of neighbouring properties, the amenities of these dwellings will not be harmed by the proposal in terms of overshadowing, dominance or overlooking.
- 6.10 The proposed increase in height of the building will not compromise the amenities of the surrounding residential properties in terms of overshadowing or dominance. The proposed first floor glazing is situated approximately 18 metres away from the rear elevation of Horseshoe Cottage and approximately 20 metres away from the rear elevation of The Forge. Whilst some overlooking towards these properties will be caused, the relationship is not considered harmful and would not warrant refusal of the application. Views towards the existing courtyards serving the Almshouses will be partially screened by the existing rear projections in situ on these properties.
- 6.11 Objectors are concerned that there will be undue noise and disturbance from the holiday let. The proposal is for a residential use in a residential area. There is nothing intrinsic to the proposal that suggests any noise or disturbance will be unusual or outside the bounds of the reasonable expectations for such an area.
- 6.12 **Access and parking**
Policy DC5 of the local plan seeks to ensure that a safe and convenient access can be provided to and from the highway network, and that adequate parking is provided.
- 6.13 The highway officer is satisfied that the use of the building as a two bedroom holiday let will have similar vehicle movements associated with it as the current storage / workshop use. The proposed parking provision and turning for one vehicle is considered acceptable for the scale of development and in order to ensure this is provided and maintained it is considered reasonable and necessary to condition it. The agent has confirmed in writing that current parking to the rear of Horseshoe Cottage is an informal arrangement, and historically the cottage has never had any off street parking.

6.14 It is understood that the occupants of The Forge have a right of access on foot with or without hand held vehicles such as wheel barrows and wheelie bins over the parking area and access drive. This right of access is a civil matter, separate from this planning application, but would need to be maintained if planning permission is granted.

6.15 **Other Issues**

The countryside officer has assessed the site for potential as a bat roost. He considers the potential to be low. It is suggested that an informative is attached to any planning permission to remind the applicant of the existing legal protection for bats.

7.0 **CONCLUSION**

7.1 The principle of the proposed development is acceptable. The proposal will not harm the visual amenity of the area, with the character and appearance of the conservation area preserved, and will not harm the amenities of neighbouring properties. Adequate parking and turning is being provided for the use. The proposal therefore complies with the provisions of the development plan, in particular policies T1, DC1, DC5, DC9 and HE1 of the adopted Vale of White Horse Local Plan. The development is also considered to comply with the provisions of the National Planning Policy Framework.

8.0 **RECOMMENDATION**

It is recommended that planning permission be granted subject to the following conditions:

1. **Time limit – full permission.**
2. **Planning condition listing the approved drawings.**
3. **Materials – details to be submitted.**
4. **Prior to the use or occupation of the new development, the parking area/spaces and turning space shall be constructed in accordance with the details shown on approved drawing number 010. The parking and turning areas shall be constructed to prevent surface water discharging onto the highway. Thereafter, the parking and turning areas shall be kept permanently free of any obstruction to such use.**
5. **The development hereby permitted shall only be used as holiday accommodation, and no part of the accommodation shall be occupied by the same person(s) for a period exceeding 28 days in any 90 day period.**
6. **Notwithstanding the details shown on drawing number 001, the 1:1250 scale site location plan incorporated as part of the plan does not form part of the application and is omitted.**

Informatives

Your attention is drawn to the need to have regard to the requirements of UK and European legislation related to the protection of certain wild plants and animals. Approval under that legislation will be required and a licence may be necessary if bats are affected by the development. If bats are discovered you must be aware that to proceed with the development without seeking advice from Natural England could result in prosecution.

The applicant is advised that the Controlled Waste Regulations classify waste generated by self-catering holiday accommodation as commercial waste. The district council do not collect commercial waste, and therefore an alternative waste service should be arranged.

Vale of White Horse District Council – Committee Report – 28 September 2016

Author: Katie Cook
Contact No: 01235 422600
Email: katie.cook@southandvale.gov.uk