

**Item No 03:-**

**16/01617/FUL (CD.6316/W)**

**Wycomb Cottage  
Syreford  
Whittington  
Cheltenham  
Gloucestershire  
GL54 5SJ**

**Item No 03:-**

**Subdivision of property to provide two dwellings  
at Wycomb Cottage Syreford Whittington Gloucestershire GL54 5SJ**

<b>Full Application 16/01617/FUL (CD.6316/W)</b>	
<b>Applicant:</b>	Mr & Mrs Gordon Pinchen
<b>Agent:</b>	SF Planning Limited
<b>Case Officer:</b>	Alison Williams
<b>Ward Member(s):</b>	Councillor Robin Hughes
<b>Committee Date:</b>	13th July 2016
<b>RECOMMENDATION:</b>	<b>REFUSE</b>

**Main Issues:**

- (a) Principle of sub-division/ new dwelling and sustainability
- (b) Impact on amenity
- (c) Impact on highway

**Reasons for Referral:**

Cllr. Robin Hughes has requested that the application is reported to the Planning and Licensing Committee for determination for the following reasons: "I have made a site visit which you were happy for me to do alone. As you know the property is completely detached from any other and stands within its own grounds, which includes off road parking for at least two vehicles. I think that the sustainability argument is debatable and believe that this more affordable type of smaller cottage would be very much in demand on the open market in this rural location.

The restriction was applied to this property in 1992 when consent was first given for a granny annex and it is now a more comprehensive property. I am sorry to cause you additional work but I would be very grateful if you could bring this before the 'Planning and Licensing Committee', please, to be debated".

**1. Site Description:**

Wycomb Cottage is a two storey cottage located within the small settlement of Syreford. It has a detached 1 and a half storey annex building located to the south adjacent to the parking area. Planning permission was originally granted for the change of use of the detached garage to an annex subject to a condition restricting it to being used as ancillary to the main house (Wycomb Cottage). The annex is located adjacent to the vehicular access and parking area to Wycomb Cottage and within the residential curtilage of Wycomb Cottage.

**2. Relevant Planning History:**

CD.6316/A - Alterations and extension to provide enlarged garage/recreation room to be used in connection with existing dwelling. Provision of a W.C. - Permitted 8th December 1986

CD.6316/B - Conversion of store over existing garage to provide a granny flat - Refused 1st April 1989

CD.6316/C - Retrospective change of use of garage to granny flat, retention of 8 velux windows and raising of roof - Permitted subject to a condition restricting the occupation as ancillary to Wycomb Cottage due to the presumption against residential development in the open countryside 3rd June 1992

CD.6316/U - 08/01678/FUL - Extension and alteration to annex - Permitted 11th July 2008

16/01347/FUL - Removal of Condition 2 of CD.6316/C (90.00218) to allow occupation of annex as separate dwelling - pending consideration

### **3. Planning Policies:**

NPPF National Planning Policy Framework  
 LPR19 Develop outside Development Boundaries  
 LPR39 Parking Provision  
 LPR42 Cotswold Design Code  
 LPR46 Privacy & Gardens in Residential Deve

### **4. Observations of Consultees:**

Thames Water - No objection subject to informatives

### **5. View of Town/Parish Council:**

No comments received

### **6. Other Representations:**

No comments received

### **7. Applicant's Supporting Information:**

Supporting Statement

### **8. Officer's Assessment:**

#### **(a) Principle of sub-division/ new dwelling and sustainability**

The building is subject to a condition restricting the use of the annex to being ancillary to the main house Wycomb Cottage following a full planning application for the retrospective conversion of the garage to a granny flat. The condition was imposed due to the principle of a new dwelling being unacceptable due to the unsustainable location. The Cotswold District Local Plan came into force in 2001 with Policy 19 maintaining that new open market dwellings outside of the settlement boundaries will not be supported. It is acknowledged that this policy is time expired due to its reliance on settlement boundaries that only went up to 2011. The agent considers that the proposal falls into the subdivision of the existing property and as such is compliant with the subtext of Policy 19 with no consideration of sustainability being required.

However as paragraph 3.3.17 of Policy 19 sets out the sustainability considerations and why such settlements without a majority of them were exclude from having defined settlement boundaries and as such sustainability is a key consideration in this application which seeks for the detached ancillary accommodation to be separated from Wycomb Cottage to become a separate dwelling.

The issue of sustainability and separation to form additional dwellings was set out in an appeal at Fox Farm, Condicote (APP/F1610/A/07/2054351/WF). The inspector sets out in paragraph 5 of

this appeal that "the traffic generation would be different from use as ancillary to the main house rather than conversion/subdivision to create an additional dwelling". This appeal while in 2007 is still particularly relevant, it was issued not long after Policy 19 first came into force and at that point had full weight. The inspector therefore correctly interpreted and appraised the proposals in relation to policy 19. In that the subdivision of a property through the change of use of ancillary accommodation had to consider the sustainability of the site. This approach is very much in line with the thrust of the NPPF which seeks to direct development to the most sustainable locations and as such needs to be considered in this application.

It is also clear that the subtext of Policy 19 was not to allow a roundabout way of creating new dwellings in the open countryside by properties extending or converting to ancillary accommodation to then be subdivided without consideration of the sustainability of the site in relation to new housing. Hence the inspectors correct interpretation of Policy 19 in the 2007 appeal requiring the consideration of sustainability.

It is acknowledged that the NPPF seeks to boost significantly the supply of housing and paragraph 49 of the NPPF indicates that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 7 of the NPPF identifies three dimensions to sustainable development - economic, social and environmental - whilst Paragraph 12 sets out twelve core planning principles that should underpin planning decision taking. In combination, these two paragraphs provide the most useful context in which to examine sustainability.

The application site is located in a small cluster of properties within Syreford. There are no services or facilities within Syreford. The nearest settlement with some facilities is Andoversford located approximately 1.8km to the south. Due to the road network connecting the site to Andoversford and distance it is highly unlikely that the route would offer a viable alternative to the private car for cycle or pedestrian access to facilities.

A recent appeal decision (19th February 2016) supports consideration of the suitability of such routes to offer a viable alternative to the private car with consideration given to if the footpath is paved, lit, is the cycling route on a main road etc. Such as the Duntisbourne Appeal (APP/F1610/W/15/3135647). To use the public right of way within proximity to this site it is not lit and is through a wooded footpath which would not be conducive to a regular alternative to the private car. There is a bus stop within Syreford, however this only operates once a day on a Tuesday and Saturday (No.804). Given the rural location of the site and its distance from any facilities for day to day living it is clear that future occupants would be reliant on the use of the private motor car to undertake the majority of trips. The site is therefore considered not to represent a sustainable location for new residential development in terms of its accessibility to facilities and services.

There would clearly be a limited social benefits associated with the proposal through the provision of a new home. However there would be no economic benefit as the agent advises no works would be required to convert the building to a dwelling.

There is no reason to doubt that any future occupants would play a role in the community. There are no local services within Syreford to support. However, the contribution one new dwelling would make to the vitality of the rural community and the support it would give to services in nearby towns and villages would be minimal.

The benefits of the proposal are an additional dwelling where the NPPF priority to '...boost significantly the supply of housing...', and the support it gives to the local economy, which must carry significant weight. However, the benefit of one additional dwelling would not outweigh the harm of the unsustainable location of the site and would not represent sustainable development in the context of the NPPF.

**(b) Impact on neighbouring properties**

Due to the positioning of the building the impact on neighbouring amenity would not result. The submitted site plan shows that a garden would be provided to serve the needs of future occupants.

**(c) Impact on the highway**

Being originally a garage the building is served by an access. The agent has indicated on the plans off street car parking provision. As such the impact on the highways would not be adverse. However, given the isolated and unsustainable location the future occupants would be reliant on the private car to access any sort of amenities which is contrary to Paragraphs 17 and 55 of the NPPF.

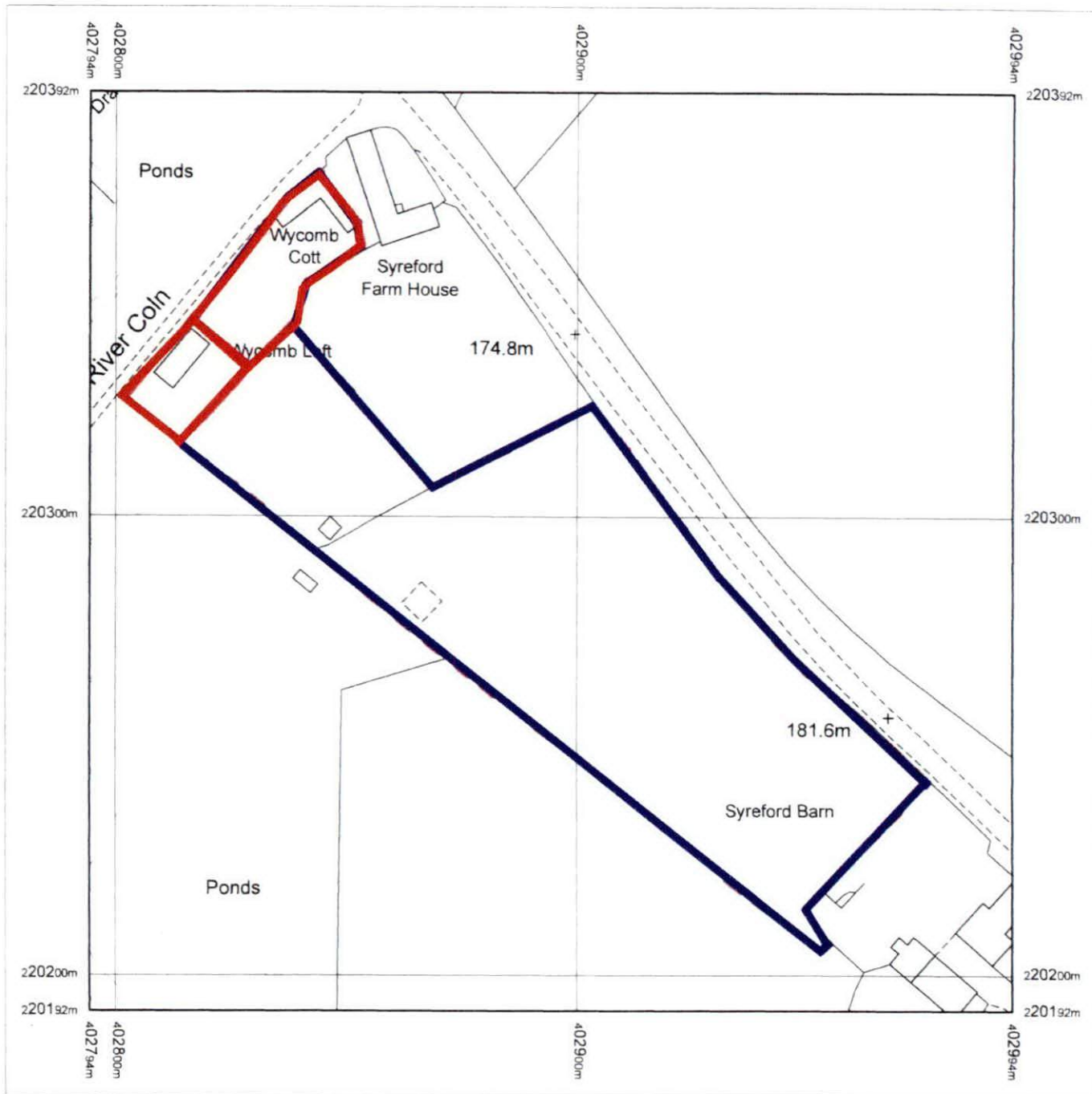
**9. Conclusion:**

The subdivision of the property would result in an unsustainable form of development and the creation of an isolated dwelling where future occupants would be reliant on the private car to access any sort of amenities contrary to Paragraphs 17 and 55 of the NPPF and Policy 19 of the Cotswold District Local Plan.

**10. Reason for Refusal:**

The subdivision of the building would result in an unsustainable form of development and the creation of an isolated dwelling where future occupants would be reliant on the private car to access any sort of amenities contrary to Paragraphs 17 and 55 of the NPPF and Policy 19 of the Cotswold District Local Plan.

16/01/17/FUL



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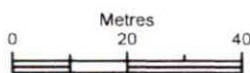
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