

DELEGATED DECISION REPORT

SMD/2024/0571
Valid 20/12/2024

WOODBINE COTTAGE
SALTERSFORD LANE
ALTON

USE OF ANCILLARY LIVING
ACCOMMODATION AS AN
ANNEXE AND HOLIDAY LET

(FULL - MINOR)

MAIN ISSUES

- Can the living accommodation be used as a holiday let within the scope of its status as an annexe or ancillary building to the dwelling house?
- Impact on the amenity of near neighbours

DESCRIPTION OF SITE

The existing building consists of a former farm shed or outbuilding within the unit of ownership and occupation belonging to Woodbine Cottage. It has already been altered, with planning permission, to provide ancillary living accommodation for the existing dwelling. The height and pitch of the roof has been built up with new block work within the gable and the whole roof has been replaced with cemented plain tiles laid on felt, and a roof light has been installed. The building fronts Saltersford Lane with a gable containing a wide glazed patio window and a front door. The building has been clad with ship lap timber.

The building is to the north eastern edge of the dwelling's curtilage, the other, lower, side of a stone retaining wall and laurel hedge. According to planning history the building once formed a unit with a horse manege behind, to the northwest, and a stable yard and the dwelling's curtilage to the southwest. It appears that the ownership has since been reduced with the manege area given over to a housing development of 23 dwellings, now largely constructed, that surrounds the unit on all sides to the north, north west and north east. The north east facing side elevation of the application building flanks the large rear garden boundary of the new dwelling (16 Meadowside). The north west facing rear elevation of the building has a small patio courtyard enclosed by a timber fence that backs onto the rear garden of the new dwelling behind (14 Meadowside) .

Woodbine Cottage and the building are just beyond the adopted section of Saltersford Lane, to the north east of the turning head, where the lane transitions into an unmade farm track that serves two dwellings and a farm to the east. The cottage and the application building are on the inside edge of the Alton 'Larger Village' settlement, where its Local Plan defined boundary surrounds a peninsula of existing development to the south east. The development of 23 dwellings, allowed at appeal, occupies farm land that is outside that defined area.

PROPOSAL

This application follows the refusal of a previous application that sought permission for the existing ancillary living accommodation to be used as a separate independent dwellinghouse – The building not capable of providing the living conditions and standards of amenity suitable for the provision of a sole residence.

The proposal with this application seeks permission to use the accommodation as a holiday let separate from the dwellinghouse.

The existing permission for the ancillary living accommodation is subject to a condition and restriction that limits its use to purposes ancillary to the dwelling as part of its planning unit. Condition prohibits the accommodation from being separated from the planning unit of Woodbine Cottage through sale or other disposal. However, the occupation condition that clarifies the restriction does within its scope make provision for its use by guests of the household. Drafted accordingly to allow its use by 'guests' it does not exclude short term let by paying guests during holiday stays providing its use could remain within the scope of and ancillary to the dwelling's planning unit.

There was question therefore, whether this planning application is necessary. It appears to seek a use that is already within the scope of the existing permission.

As originally submitted, however, this application apparently sought a separation from the planning unit of the dwellinghouse and use of the accommodation as an independent separate unit of holiday accommodation. The applicant was made aware that because of its arrangement with the applicant's dwelling and surrounding properties, and the constraint on occupant's living conditions, that the Council would resist any proposal to subdivide the accommodation from the existing dwelling. An independent holiday let separate from the planning unit would be close to or tantamount to the dwelling development that has been refused.

It has been agreed with the applicant, however, that rather than withdraw this application, the description of development be amended from 'change of use' to "*use of ancillary living accommodation as an annexe and holiday let*" and a revised site plan has been submitted that confirms with red edge that the accommodation would remain within the existing planning unit of Woodbine Cottage.

The application now essentially seeks a repeat of the existing ancillary living accommodation permission to include clauses that would make it explicit that the ancillary accommodation could be used by paying holiday guests as an ancillary use within the planning unit.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)

- SS1 Development Principles
- SS2 Settlement Hierarchy
- SS8 Larger Village Area Strategy
- E4 Tourism Development
- DC1 Design Considerations

National Planning Policy Framework

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2009/0092 Detached double garage. APPROVED.

SMD/2022/0290 Alterations to outbuilding in association with conversion to ancillary living accommodation. APPROVED.

SMD/2024/0478 Change of use of annexe to separate dwelling. REFUSED.

CONSULTATIONS

Publicity

Site Notice expiry date: 11/02/2025

Neighbour consultation period ends: 11/02/2025

Press Advert: N/A

Public Comments

None

Town / Parish Comments

Alton PC: Object, the use of the accommodation should be restricted as per the condition attached to planning permission SMD/2022/0290

Waste Collection

No issues

OFFICER COMMENTS

Principle of Development

The site lies within the settlement boundary of Alton, which Policy SS8 identifies as a 'Larger Village'. Policy SS8 sets out that within settlement boundaries a range of development is acceptable in principle, including new residential development and the conversion of existing buildings to alternative uses. The provision of overnight holiday accommodation within the larger village of Alton, where other facilities and attractions are within proximity, would be largely compliant with Local Plan tourism policy E4.

Amenity/Living Conditions of existing and future occupiers

An occupation and use condition attached to the existing planning permission confirms and limits the use of the building to purposes ancillary to the existing cottage and restricts occupancy only to members or guests of the household. The reason for the condition is that it has not been demonstrated that the dwellinghouse is able to provide an appropriate standard of living condition for persons that do not have a pre-existing connection or association with the occupation and use of other adjacent land and buildings. It is also apparent that if the use and occupation of the building were to become concentrated and consistent in a manner associated with full occupation as a sole residence and full dwellinghouse, that would have the potential to cause noise and disturbance and negatively affect living conditions of the new dwellings to the side and rear.

In these respects the building should only be temporarily or occasionally occupied by

persons who are part or guests of the existing Woodbine Cottage and have permanent residence available elsewhere and need not require or be afforded the same standard of amenity or living condition. This could include persons using the accommodation as a short stay holiday let.

Retained within the scope, supervision and management of the existing dwelling's planning unit a guest occupying the accommodation for a short period of time need not have unacceptable impact on the amenity of neighbours. The accommodation is relatively small, not lending itself to a large group or party venue, and where the guests have their main residence elsewhere their activities should not be as extensive or intense as they could be at a dwellinghouse (they are unlikely, for example, to be washing their car, engaging in hobbies or DIY, or having their own deliveries or visitors etc.)

Moreover, where the accommodation is substandard and not capable of providing living accommodation suitable for a dwellinghouse, it is capable of being enjoyed for a short period of time by guests who have their main and sole residence elsewhere.

Highway Safety

Where the use of the accommodation is limited to guests of the household and planning unit, whether for holiday purposes or otherwise, those guests are likely to arrive or use just one motor vehicle. A dwellinghouse by comparison is likely to have more than one vehicle in ownership and use (the previous planning proposal included what would have been harmful rearrangement of adjacent boundary treatment to create a parking area). The single vehicle of a 'guest' can easily park within and share ample space available at the existing dwelling and planning unit, without rearrangement of boundary or space.

CONCLUSION / PLANNING BALANCE

Granting a planning permission that explicitly clarifies that the use of the ancillary living accommodation by guests could include paying holiday guests would essentially be within the scope of the existing permission. Retained within and under the supervision and management of the dwelling's existing planning unit, guests of the small holiday accommodation need not cause unacceptable harm to the amenity of neighbours. The activities of short stay guests would not be as extensive or as intensive as the activities of those that could be associated with the occupation of accommodation as a sole residence dwellinghouse. Moreover, the substandard accommodation and living conditions provided by the living accommodation is not capable of providing a suitable dwellinghouse, but could be enjoyed for a short period when the occupants have their sole and main residence elsewhere.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Ben Hurst

Recommendation Date: 13/02/2025

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council